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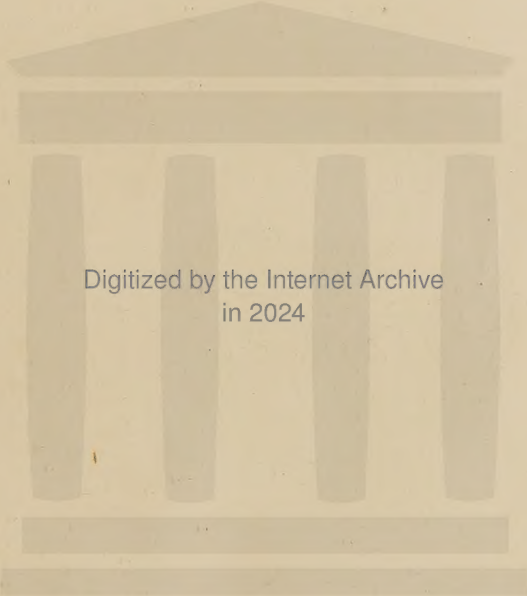
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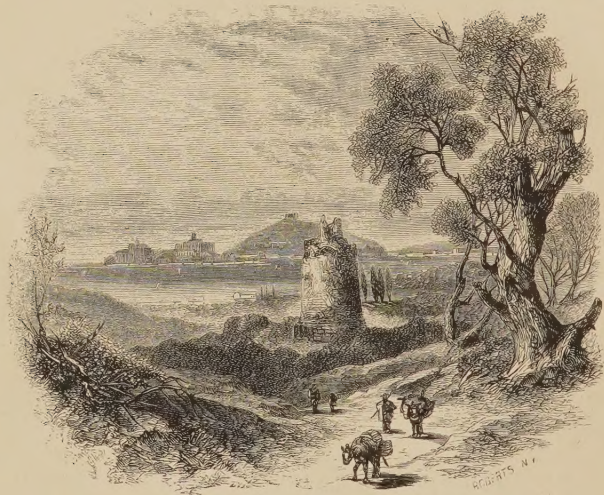
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THE TOMB OF CICERO

To face Title-page of Vol. II.

LIFE  
OF  
MARCUS TULLIUS CICERO.

BY  
WILLIAM FORSYTH, M. A., Q. C.,  
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THE LIFE  
OF  
MARCUS TULLIUS CICERO.

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CHAPTER XVI.

CLODIUS AND MILO.

ÆT. 54-55. B. C. 53-52.

THE new year opened with no consuls. And this state of interregnum lasted for six months, during which a succession of officers was appointed, called *interreges*, who, according to a law or custom as old as the time of the monarchy, each held office for a period of five days, so that this year there were at least thirty-six *interreges*. They were chosen by the Senate out of their own body, and must by law be patricians, which explains the reason why the tribunes, who of course were always plebeians, were generally opposed to their creation. In the meantime, however, the city was in a state of turbulent confusion. All attempts to hold the comitia for the election of consuls failed. They were stopped by the usual device of "watching the sky," or interrupted by riots which broke up the meeting. At last one of the tribunes, Q. Pompeius Rufus, a

grandson of Sylla, was thrown into prison by the Senate, which summoned courage to perform this one act of firmness. And when Lucceius Hirrus proposed that a dictator should be appointed, they, with Cato at their head, steadily opposed it until Pompey himself returned. Dio Cassius says that the dictatorship was then actually offered to him, but seeing how unpopular the office was, he declined it, and exerted his influence to get consuls elected. The result was that Domitius Calvinus and Valerius Messala were chosen in the month of July, as Cicero had prophesied would be the case six months before; for they secured the votes of the electors by the most profligate bribery.

During this and the following year we have very few of Cicero's letters, which is explained by the fact that Atticus, his chief correspondent, was then at Rome. Atticus had made a journey into Greece and Asia Minor in the previous summer, but returned in November, and the friends were together for the next two years. And as this work is not a history of Rome, but a biography of Cicero, and he took during the period little part in public affairs, we may pass rapidly over events with which he was not immediately concerned.

He kept up an amusing correspondence with his "learned friend" Trebatius, in Gaul, and seems to have liked nothing better than to fire off legal jokes at this soldier-lawyer. But unfortunately they will not bear translation. Even the legal wit of Westminster Hall is "caviare to the general"; and it is hopeless to attempt to make intelligible all the technical puns in which Cicero ran riot when he wrote

to Trebatius. The fun would evaporate in an explanation. He advised him to remain with Cæsar if he was doing well, but if not, to return to Rome; for if he stayed much longer away he would run the risk of figuring in one of Labienus's farces, who would desire no better character for the stage than that of a *British* lawyer. He joked him for becoming an Epicurean; and asked him how, as the disciple of such a selfish philosophy, he could defend the *common* law which was for the *common* good of all?<sup>1</sup> He was afraid, however, that the learned civilian had carried his goods to the wrong market; for the mode of settling disputes there was by drawing the sword instead of drawing a plea. He expressed his surprise at receiving from him two copies of the same letter, and written on palimpsest too! "However," he said, "as to the palimpsest, I applaud your economy. But I wonder what there was written on the paper which you preferred to efface and use the sheet for another letter rather than take a fresh piece; was it some of your legal formulæ? For I cannot believe that you rub out *my* writing to put *your own* over it." In another letter, which he wrote while passing the night at the villa of a friend in the Pomptine Marshes, he told Trebatius that he heard the noisy welcome of the frogs which were croaking loudly at Ulubræ, a small miserable town in the marshes of which Trebatius was prefect; and he called them the clients to whom he had been recommended by the absent lawyer.

<sup>1</sup> It seems clear therefore that Trebatius, after all, had crossed over into Britain. It is amusing to see how the idea of a lawyer imported into England provoked merriment at Rome. It has proved a kindly soil for the growth of the race since Cicero's time.

He began this year a correspondence with Curio, who was then quæstor in Asia Minor, — the “girl” Curio, as he had contemptuously called him, when he headed the band of young nobles who did their utmost to induce the people to reject the bill for putting Clodius upon his trial before a select jury on account of his violation of the mysteries of the Bona Dea.<sup>1</sup> And the word “girl” had a terrible significance. To understand its full meaning it is necessary to read the second Philippic, where Cicero charges Antony, the triumvir, with having been *married* to Curio. He had run a career of profligacy and extravagance, and on account of Antony had become security for a debt of enormous amount, which his father, at Cicero’s earnest intercession, had undertaken to pay. Since then he had attached himself to Cicero, and become in many respects a changed character. He was gifted with remarkable talents, and had a natural genius for oratory. During the first triumvirate he had distinguished himself as one of the chiefs of the opposition, and, as we may remember, was accused by Vettius of being the ringleader of the plot to assassinate Pompey, — an accusation which recoiled so fatally upon the head of Vettius himself. Cicero wrote to condole with him on his father’s death; who, he says in his usual style of exaggerated compliment, would with such a son have surpassed all men in good fortune, if he could have only seen him at his death-bed. He advised him not to incur needless expense in the funeral games and shows which it was usual to give on such occasions, adding that everybody had had

<sup>1</sup> *Ad Att.* I. 14.

enough of these displays, and he ought to trust rather to his talents and other advantages to gain the popularity necessary for political success. This well-meant advice, however, was thrown away. Curio exhibited funeral shows of almost unexampled grandeur; and had two immense theatres built of wood, close together, which swung on hinges, carrying the whole body of spectators round, as Pliny describes them, in terms of almost stupefied amazement.<sup>1</sup> The consequence was that he became overwhelmed with debt; and soon afterwards deserting his old party, became one of Cæsar's most devoted adherents. Cicero's letters to him are very few, and not interesting; as indeed we could hardly expect them to be when we find him saying that he should not write on matters of personal interest to Curio; for he had plenty of correspondents who would do that; and the times were too full of trouble to make it decent to indulge in jocularities. Nothing then was left but to write on serious topics. "But on what topic could Cicero write seriously to Curio except on politics?" And as to politics "he did not like to write what he thought; and certainly not what he did not think." A correspondence on such a basis could not fail to be insipid.

At the same time that the new consuls were elected there came news from the East which fell like a thunderbolt on Rome. Crassus and a great part of his army had perished on the banks of the Euphrates in a conflict with the Parthians. That greedy and incompetent commander, not finding in the government of Syria enough for his rapacity, had,

<sup>1</sup> Plin. *Hist. Nat.* XXXVI. 15.

without any pretext for war, and without any authority from the Senate, marched his troops into Mesopotamia, and invaded the territory of Orodes, the Parthian king. At first he was successful, and ravaged the country almost without opposition. Orodes sent ambassadors to him to ask him what was the cause of war. Crassus answered that he would give his reply in Seleucia. "Hair will grow on this palm," cried one of the Parthian officers, striking his left hand with the fingers of his right, "sooner than you will be in Seleucia." He crossed the Euphrates amidst the most discouraging omens, and his son Publius, having made a rash attack on the enemy, was surrounded and with all his cavalry cut to pieces. The Parthian general afterwards treacherously invited Crassus to a conference, and then fell upon him and killed him with his attendants. The rest of the army took to flight; and Dio says, the greater part escaped. In bitter mockery of his avarice, the Parthians poured molten gold down the throat of the unfortunate proconsul, whose wealth and profusion had been such that he used to express pity for those who were too poor to maintain the cost of an army out of their own private means. By the death of young Crassus there was a vacancy in the College of Augurs, and Cicero was chosen to succeed him. We may remember that he had long coveted this office, and, at the beginning of the triumvirate of Cæsar, Pompey, and Crassus, had said it was the only bait they could offer which would be likely to tempt him.

Appius Claudius was at this time proconsul of

Cilicia. He was one of the parties to the infamous bargain with Domitius and Memmius, and his character was such that Cicero then said it was made no worse by the disclosure: he had in fact no character to lose.<sup>1</sup> As prætor he had given his active support to Clodius during the disastrous year of his brother's tribuneship, of which Cicero was the victim, and it was only to please Pompey, whose son had married Appius's daughter, that he had agreed to a reconciliation with him. And yet we now find him writing to Appius in the most friendly and complimentary terms. He wished to recommend Valerius, a lawyer of very moderate abilities, but an intimate friend of his own, to his notice, and said, "You may be assured that you are most dear to me, both on account of the great sweetness of your disposition and your kindness, and also because I learn from your letters and hear from many that you are pleased and grateful for all I have ever done for you."

The same game that had been played with regard to the consular comitia in the preceding year and first half of the present, was still continued; and there seemed little prospect of an election taking place for the following year. There were three candidates in the field: P. Cornelius Scipio (who, having been adopted by Metellus Pius, took the name of Q. Cecilius Metellus Pius); P. Plautus Hypsæus, who had been Pompey's quæstor in the Mithridatic war, and was now supported by him in his canvass; and T. Annius Milo. Cicero was for many reasons extremely desirous that Milo should succeed. He

<sup>1</sup> *Hic. Appius erat idem. Nihil sane jacturæ. — Ad Att. IV. 18.*

was a bold determined man, ready and able to cope with Clodius with his own weapons. We have seen that he took a gang of gladiators into his pay, and with such a body-guard set his enemy at defiance. Clodius was a candidate for the prætorship; and it was impossible to say what mischief he might do if elected to that high office, unless he were held in check by some paramount authority. Cicero well knew that he had everything to fear from him, and he was therefore almost anxiously nervous that one at least of the consuls should be a man on whom he could rely. Besides, he owed him a deep debt of gratitude for his active exertions as tribune in procuring his recall from banishment. We find him for these reasons writing to Curio, who was then on his way back from Asia Minor, in the most urgent terms, and entreating him to come and throw all his influence into the scale in favor of Milo. All they wanted, he said, was a leader; and there was no one who could be compared as a leader with Curio. "I have," he added, "set my whole heart, and fixed all my thoughts, zeal, and energies, in short my whole soul on Milo's consulship." There is perhaps no letter in the whole of Cicero's correspondence which bears the stamp of genuine earnestness more strongly than this. Milo had made himself popular by the usual expedient of entertaining the people with costly shows; and bribery was resorted to by all the candidates on an enormous scale. But the rival parties frequently came to blows, and the streets of Rome were the scene of disgraceful riots. In one of these, where the followers of Milo and Hypsæus were fighting in the





THE APPIAN WAY REGINA VIARUM

Via Sacra, Calvinus, the consul, who had hastened up with his lictors to put a stop to the affray, was wounded.

The year ended in the midst of anarchy, and Rome was again without consuls. An interregnum would again have been declared, but the tribune Manutius Plancus Bursa interposed his veto. This brought the confusion to a climax, and the capital of the world was literally without a government, when an event happened which gave a new turn to affairs, and altered materially the state of parties.

Four years previously Cicero told Atticus that Milo had declared he would kill Clodius if he met him, and the threat was at last fulfilled. Whether this was done with wilful premeditation or in the excitement of an accidental conflict, it is impossible to decide positively, for the accounts vary. If we believe the statement which Cicero as Milo's advocate made at his trial, Clodius was the aggressor, and Milo's followers slew him in self-defence. But the more probable story is that which Asconius gives, and it is as follows:—

On the twentieth of January, Milo was travelling along the Appian road towards Lanuvium, of which he was chief magistrate or dictator, in a carriage in which were his wife Fausta (a daughter of Sylla) and his friend M. Fusius. He was attended by a body of slaves and gladiators, amongst whom were the well-known fighters Endamus and Birria. About three o'clock in the afternoon, as they were approaching the little town of Bovillæ, close to the spot where stood a chapel of the Bona Dea,<sup>1</sup> they met

<sup>1</sup> The Romans might look upon it as a judgment from heaven that the

Clodius on horseback returning from Aricia, accompanied by three friends, one of whom was Cassinius Scola, a Roman knight, and about thirty armed slaves. The two parties had almost passed each other without coming into collision, when the two gladiators I have named, eager, no doubt, not to lose so good an opportunity for coming to blows, got into a scuffle with the slaves of Clodius; and when he turned round, and riding up demanded in a threatening tone the cause of the disturbance, Birria stabbed him through the shoulder. This brought on a general fight; and the wounded Clodius was carried to a neighboring tavern, from which, *by Milo's orders*, he was soon dragged out and murdered. The slaves of Clodius were outnumbered by their opponents, and many of them were killed, and others severely wounded. The rest fled; and the corpse of their master was left lying in the road, until Sextius Tediſ, a senator who happened to be returning from the country to Rome, came up, and seeing the body, directed his attendants to place it in his litter and bring it into the city; but he himself, apparently in alarm, went back. It was carried to the hall of Clodius's house on the Palatine, and there laid down. It was then just nightfall, and as the news spread like wildfire; mobs of the lowest rabble rushed to the spot to see the murdered body of their favorite leader. His widow Fulvia threw herself on the corpse, and with cries of passionate grief pointed out the bloody wounds to the populace.

man whose most notorious act was the profanation of the mysteries of the Bona Dea should be killed at her chapel. And Cicero alludes to this coincidence.

Next morning the crowd increased, and in the confusion several men of rank were injured. The two tribunes Manutius Plancus and Pompeius Rufus (who it seems had been released from prison) called out to the people to carry the body to the Forum just as it was. And it was immediately borne off and laid on the Rostra. The tribunes then mounted the platform and harangued the multitude on the atrocity of the crime which Milo had committed. The corpse was carried to the temple of Curia Hostilia, where a funeral pile was hastily constructed of tables and benches, and set on fire. The flames rose and soon caught the rest of the building, which was burnt down, as well as an adjoining basilica. The mob then rushed to attack the house of Lepidus and of Milo, who had concealed himself, but they were driven off by volleys of arrows. In the abeyance of the consular office, the *fascēs* had been placed for safe custody in the temple of Libitina; and these were seized by the people and carried first to the houses of Scipio and Hypsæus, the competitors of Milo, and afterwards to the gardens of Pompey, where with shouts they proclaimed him at one moment consul and at another dictator.

These turbulent proceedings frightened the Senate. A meeting was hastily convoked on the Palatine Hill, in the evening after Clodius's body had been burnt, and Æmilius Lepidus was appointed interrex, to whom, with the tribunes and Pompey, the care of public order was committed. Pompey was also authorized to collect troops from all parts of Italy. Scipio and Hypsæus were anxious to avail them-

selves of the sudden unpopularity of Milo, and to force on the comitia for the election of consuls. But it was contrary to all usage for the first interrex to hold them, and Lepidus therefore refused. The mob then regularly besieged his house, and kept him a close prisoner for two or three days, until at last they burst open the doors, and were proceeding to destroy the furniture, when a body of the partisans of Milo came up, and after a violent struggle drove them away. Another interrex succeeded, but still no comitia were held. At last Pompey got together a body of soldiers, and under their guard the Senate met at the theatre outside the *pomærium*, or precincts of the city properly so called; but the only resolutions they came to were, that the bones of Clodius should be collected and buried, and the Curia Hostilia rebuilt. It was indeed time that authority should pass into hands capable of exerting it; and anything seemed better than the state of wild anarchy that prevailed. Men began to talk of Cæsar as dictator; and it seemed not improbable that, if the comitia were assembled, both he and Pompey would be at once elected consuls by the people. Under these circumstances the Senate thought it was the safest plan to trust Pompey alone with the reins of power, not as dictator, the name of which was generally unpopular, but as sole consul, and on the motion of Bibulus, which was supported even by Cato, the proposal was carried. The question was not submitted to the people; but Servius Sulpicius, who was then interrex, by virtue of his authority made the appointment in conformity with the resolution of the Senate.

This happened on the twenty-fifth of February. Pompey had now reached the highest point of honor in the state which it was possible to attain short of an actual dictatorship. He held, by his lieutenants Afranius and Petreius, the governments of Africa and Spain, conferred upon him originally for five years, with a considerable army; he was still supreme master of the whole supply of grain to the metropolis; and he was sole consul. He acted with vigor and firmness. He proposed and carried two bills, one of which had reference to the murder of Clodius, and the other to bribery at elections. By the first it was enacted that a special inquisitor should be chosen by the people out of the whole number of ex-consuls to try those who were accused of the murder, and also the rioters who set the Curia Hostilia on fire and attacked the houses of Lepidus and Milo. By the second, bribery was made punishable by severer penalties. But both bills provided a more expeditious form of trial than was usual. Three days were allowed for the examination of witnesses on both sides, and a fourth for the speeches; the prosecutor being limited to two hours, and the defendant or his counsel to three.

The first of these bills was ineffectually opposed by the tribune Cælius, who objected that it was a *privilegium* specially directed against Milo, and he attacked the measure with such vehemence that Pompey declared that if he were driven to it he would defend the Republic by force of arms.

In the mean time two nephews of Clodius applied to Pompey to have the whole body of Milo's slaves, and also those of his wife Fausta, — for at Rome

husband and wife had separate establishments of these domestics, — examined, and no doubt put to the torture, as this was the usual mode of taking the evidence of that unfortunate class of men. And the right of examining them was also claimed by three others, the two Valerii and Herennius Balbus. Cœlius on the other hand summoned for the same purpose the slaves of Clodius and of the three friends who had accompanied him on his fatal journey ; and one of his colleagues summoned the slaves of Hypsæus and Metellus Scipio, the two candidates for the consulship. This of course was to make it appear that Clodius was the aggressor, and that Hypsæus and Scipio had been parties to a conspiracy to take away the life of Milo. A formidable array of counsel appeared for him, — Cicero, Hortensius, Marcellus, Calidius, and Faustus Sylla. Hortensius took the objection that the persons summoned by the prosecution were no longer slaves but freemen, — as Milo had manumitted them for avenging the attempt on his life, — and that consequently they could not be put to the question.

He himself, seeing how strong the feeling was against the Clodian party, owing to the excesses they had recently committed, ventured now to appear in public, and he pursued his canvass for the consulship, distributing large sums of money amongst the people in the most barefaced manner. At one of the meetings of the Senate, Cornificius accused him of carrying a sword concealed under his robe, and went so far as to call upon him to lift it up that they might see it. Milo immediately pulled up his dress and showed that he had none ;

upon which Cicero, who was present, exclaimed, that all the charges against him had no better foundation than that which they had just heard. But it was currently reported, that, in order to conciliate Pompey, who was known to favor the election of Hypsæus, Milo sent a message to him offering to abandon his own canvass, if he wished. Pompey, however, loftily replied, that he would have nothing to do with the retirement or standing of any candidate, and would not interfere with the free choice of the people.

Three of the tribunes, Pompeius, Sallust, and Plancus, did all in their power to influence the populace against Milo by violent harangues in the Forum, and at the same time attacked Cicero, who had undertaken his defence, so that he became almost as unpopular with the mob as his client. Plancus was the most bitter of the three, and he so constantly asserted that a plot was going on to take away Pompey's life, that the consul either really did or affected to believe it, and increased the number of his guards. Plancus also threatened to bring Cicero himself to trial; and there is no doubt that the advocate of Milo was at such a period of excitement in considerable danger. But he stood firm, and never for a moment thought of shrinking from the task. Often as we have had occasion to deplore his want of moral courage, it is impossible not to admire his conduct now. He might have easily declined the defence. He knew that Pompey was at heart no friend of Milo, and that the populace hated him for killing their favorite leader. He would have ingratiated himself with both if he

had simply abstained from taking any part in the proceedings. But he felt that he owed a deep debt of gratitude to Milo for the part he had taken when tribune in procuring his recall from banishment, and no consideration could induce him now to desert his friend. Perhaps also there was mingled with this motive another, which might well be pardoned. Milo was accused of slaying his own bitterest enemy, and the temptation was irresistible to vindicate such a deed with the whole force of his eloquence.

His client was indeed in imminent peril. Not only was he prosecuted for murder and illegal violence (*de vi*), but two other indictments were preferred against him,—one for bribery, and the other for getting up or being a member of unlawful clubs (*de sodalitiis*). The special commissioners chosen under Pompey's new law to try severally the cases of murder and bribery were Domitius Ahenobarbus and Torquatus. Domitius seems to have been elected by the people, on the recommendation of Pompey himself.<sup>1</sup> Milo was summoned to appear before them both on the same day, in April. He appeared personally before Domitius, and sent, to represent him before Torquatus, friends who applied to have the trial for bribery postponed until the charge of murder was disposed of. This was granted, and the inquiry began before Domitius.

He made an order for the examination of Milo's slaves; and Cassinius Scola, the Roman knight

<sup>1</sup> It is thus I reconcile Asconius with Cicero. Asconius calls Domitius, Quæstor suffragio populi; and Cicero (*pro Milone*, c. 8), speaking of Pompey, says, Quod vero te L. Domiti huic questioni præesse voluit . . . . ex consularibus te creavit potissimum.

who, as I have mentioned, was with Clodius when he was killed, gave strong evidence incriminating the accused. When Marcellus, one of the counsel for the defence, began to cross-examine him, the mob that filled and surrounded the court made such an uproar, that he was frightened and took refuge on the bench beside Domitius. Pompey was at the moment at the Treasury, within sight of the court, and heard the tumult. Domitius applied to him for a body of soldiers to keep order, and he promised to come himself next day with a guard. He did so, and remained throughout the rest of the trial, close enough to be frequently apostrophized by Cicero in the course of his speech. The next two days were, according to the new law, occupied with the depositions of witnesses, who were cross-examined by Cicero, Marcellus, and Milo himself. Some vestal virgins were produced, who swore that an unknown female had come to them, saying that she was directed by Milo to discharge a vow he had made, now that Clodius was slain. Such testimony would of course have been inadmissible in an English court of justice. The last witnesses called for the prosecution were Fulvia and Sempronia, the widow and daughter-in-law of Clodius, who, by their tears and lamentations, produced a visible effect on the by-standers. The tribune Manutius Plancus, a bitter enemy of Milo and Cicero, then mounted the Rostra and made a violent speech to the people, calling upon them to attend next day in crowds, and not allow the criminal to escape.

It is remarkable that during all this time the jury had not yet been chosen. The new law provided

that the whole body, or what we should call the panel of persons qualified as jurymen, should be present and hear the evidence. They were three hundred in number, selected by Pompey himself. It also provided that afterwards eighty-one should be chosen by lot to try the case, but that after they had heard the speeches for the prosecution and the defence, which together were not to occupy more than five hours, the prosecutor and defendant were each to challenge fifteen (five of each class), so as to leave fifty-one to deliver the verdict.<sup>1</sup> The reason of these special regulations is not apparent; but there can be no doubt of the impolicy of allowing the witnesses to give their evidence before the actual jury was empanelled.

The evidence being closed, the important day arrived when the jury were to be chosen, the speeches delivered, and the verdict given. It was a memorable day, and a memorable sight for Rome. Domitius sat on the judgment-seat as special commissioner. An immense multitude thronged the Forum, crowding the steps of the temples and other public buildings from which a view could be obtained, and in addition a strong body of soldiers surrounded the court and occupied all the avenues to the Forum. Pompey himself sat in front of the Treasury, where he could both see and hear the proceedings, and was attended by a select body-guard. All the shops in the city were closed, and every one was intent on the important issue at stake. It was a scene that might well try the nerves of the boldest advocate; for the mob were to a man against Milo: and fatal

<sup>1</sup> These 51 would consist of 18 senators, 17 knights, and 16 *tribuni ærarii*.

experience had shown that they might vent their rage not merely in noise and clamor, but in deeds of violence on the spot.

At eight o'clock in the morning the prosecutors commenced their speeches. They were Appius Claudius, one of the nephews of Clodius; Marc Antony, — fatal name, that now for the first time appeared on Cicero's path, — and Valerius Nepos. They spoke for two hours, the time limited by the new law, and then Cicero rose to defend his client. He heard the murmurs of the crowd, and saw the glittering spears of the soldiers, placed there to secure order, — a strange and unwonted sight in a criminal court. He lost his self-possession, and made a very ineffective speech. It would be perhaps nearer the truth to say that he completely broke down. The speech we possess, which is one of the finest forensic orations ever written, was of course not that which he spoke. He composed it afterwards; and, according to a well-known anecdote, Milo, when he read it in exile after his conviction, said, in bitter irony, "It is fortunate for me that this is not the speech that was delivered at my trial; for in that case I should not have been eating such capital things as these Marseilles mullets."

Brutus had himself composed a speech for the defence, which he showed to Cicero, who, however, did not approve of it. The line he took was a perilous one, and Cicero showed good judgment in declining to adopt it. It was shortly this, — that, as it would have been a public benefit to sentence Clodius to death, Milo ought not to be condemned for killing him. No court of justice could tolerate such an

argument as the sole ground of defence, and it must have been fatal to his client. He therefore took the more prudent course of denying altogether that there was any premeditation on the part of Milo, and contended that Clodius was the aggressor, and that all the probabilities of the case showed that he had intended to murder Milo, whose slaves killed him to avenge the supposed death of their master.

He asserted, and I suppose the fact had been proved in evidence, that Clodius had declared in his public speeches that Milo must be killed, and that he could not be deprived of the consulship if he lived, but he could be deprived of life. Nay, he had told Favonius that within three days, or four at most, Milo would perish, which Favonius immediately reported to Cato, who was now sitting on the jury before them. Clodius, he said, knew that Milo was obliged to go to Lanuvium on the twentieth of January to appoint a *flamen*, as he was "dictator" of that town, and he left Rome suddenly the day before to make preparation for the attack. He had brought down from the wilds of the Apennines his gang of savage slaves, whom they had all seen in Rome. Next day Milo attended the Senate, then went home and changed his dress, had to wait for his wife, who ("as is usually the case with women," said Cicero) was slow in getting ready, and set out in a carriage enveloped in a long cloak, and followed by a train of his wife's maid-servants and singing-boys. When they reached that part of the Appian Way where Clodius had a country house or farm, the cellars and vaults of which were large enough to hold a thousand men, a sudden attack was made upon them from some high

ground. Milo's carriage was surrounded, but he sprang to the ground and vigorously defended himself. In the mean time his slaves thought that he was murdered, and, to avenge his death, they, without his orders or even knowledge, killed Clodius.

Such was Cicero's statement, and of course, if *proved*, it was a complete defence; and he tried to strengthen it by probabilities, applying the test of *cui bono* — which of the two would profit most by the death of the other? He showed that Clodius had far more interest in the death of Milo than Milo in the death of Clodius. Besides, the different characters of the two men rendered it much more likely that Clodius was the first aggressor. He then appealed to Cato and Pepillius, who were both on the jury by what he calls "a providential accident," and asserted that they had both heard from Favonius, while Clodius was alive, that Clodius had declared that in three days Milo would be dead. Alluding to the evidence of Clodius's slaves, he showed how worthless it was by describing the mode in which it was taken.

"Come now," he said, "let us see what sort of an examination it was. 'Here, you Ruscio,' (let us take him by way of example,) 'be careful you tell no lies. Did Clodius lay an ambuscade for Milo?' 'Yes.' If he said so, the fellow would be assuredly crucified. If he said 'No,' he hoped to get his freedom. What forsooth can be more trustworthy than this kind of examination? They are suddenly seized, separated from each other, thrown into cells that they may not converse together, and when they have been for a hundred days in the power of the prosecutor they are produced by him to give evidence."

After appealing to Pompey, and declaring that he raised his voice in order that he might hear, he told

him the time might come, in the vicissitudes of human affairs, when he would wish to have by his side a friend so faithful and a man so brave as Milo. He then dexterously made use of the argument which Brutus had suggested, having paved the way for its favorable reception by his previous denial that Milo was guilty of homicide at all. He put hypothetically the case that Milo had done what the prosecution alleged. Let them suppose that Clodius was killed by Milo. Who and what was the man whose death was the subject of inquiry? Not a Spurius Melius slain on suspicion of aiming at a throne, — not a Tiberius Gracchus who lost his life for sedition, — but a vile adulterer — a man who committed incest with his own sister — who had scattered death in the Forum, and forced Pompey to take refuge in his own house from his armed violence, — an incendiary who had burnt down the Temple of the Nymphs to destroy the record of his disgrace in having been branded by the censors, — a man who regarded no law, and respected no rights of property, not stooping to claim the estates of others by perjury and chicanery in the courts of law, but seizing them by open force and with the red hand, — who, when Pacuvius, a distinguished Roman knight, refused to sell him an island in a certain lake, filled a fleet of boats with lime and bricks, and in the face of the owner, who was looking on, had them carried across to the island, and there built a house for himself, — who told Titus Furfanus, then present, that if he did not give him the money he demanded he would carry him home a corpse, — who expelled his brother Appius, “a man,” said Cicero, “now firmly reconciled to me,”

from his country-seat, — and walled up the vestibule of his sister's house so as to prevent all entrance into it. If he had lived and succeeded in gaining power, nothing would have been safe from his rapacity. He would have seized on their possessions — their homes — their money.

“Your money, do I say?” he exclaimed; “your wives and your children would have been a prey to his unbridled lust. . . . If, therefore, Titus Annius, holding up his bloody sword, cried out, ‘Come hither, citizens, and hear me. I have slain Clodius. With this weapon and this right hand I have saved your lives from his fury, which no law or court of justice could restrain. It is through my deed alone that law, justice, and liberty — that modesty and chastity — have been preserved to the commonwealth.’ Could there be any fear how the country would receive the avowal? For is there any one who would not approve and praise the deed? — who would not say and feel that Titus Annius of all men since the memory of man had most benefited the state and filled with the greatest joy the Roman people — Italy — the world? . . . Now attend to me. This is an inquest on the death of Clodius. Imagine to yourselves, — for our thoughts are free, and we can see with the mind's eye as well as with our bodily senses, — imagine to yourselves, then, I say, that I could induce you to acquit Milo on condition that Clodius were brought to life again — Why do you show terror by your looks? How would he affect you if alive, when now that he is dead the mere idea of him makes you tremble?” . . .

The speech ended by a passionate appeal to the jury not to drive away from Rome a citizen like Milo, whom every other country would open its arms to receive. The last words were, —

“But I must stop. For I cannot speak for tears — and by tears he will not allow himself to be defended. I pray and beseech you, in delivering your verdict, to declare boldly your real sentiments. Your virtue, your justice, your honor will, believe me, be most approved by him who in selecting the jury chose those who were most distinguished for virtue, intelligence, and courage.”

The above is a meagre outline of the oration as it was *written*. That which Cicero really spoke was not successful, and Milo was convicted. The jury who gave the verdict, after they had been reduced by the challenges allowed by the new law, were, as I have said, fifty-one in number. Of these, thirteen voted for his acquittal, but thirty-eight declared him guilty; and it is hardly possible to believe that the majority were wrong. It was composed of men who were not likely to have any bias against the accused; and no doubt the evidence satisfied them, that, however the affray might have commenced, Clodius had been killed by the deliberate command of Milo. It would be a nice question under the English law, supposing that the first attack were made by the followers of Clodius, whether Milo was guilty of murder or manslaughter, or whether it was a case of justifiable homicide. If the deed was done in *self-defence*, to protect his life or the lives of his attendants, he ought to have been acquitted; but if it was true that Clodius, by Milo's orders, was dragged from the tavern where he was laid after he had received his wound, and then put to death, it was murder, or perhaps a merciful jury might have brought in a verdict of manslaughter. But if the defence set up by Cicero had been proved, there must have been a verdict of acquittal; for, according to him, Milo's slaves killed Clodius without even the knowledge of their master, under the erroneous idea that they were avenging his death.

The sentence was banishment, and Milo immediately quitted Rome. He retired to Marseilles, where he passed the remainder of his life in poverty

and exile. In his absence the other charges against him were proceeded with, and he was again convicted. His property was put up to auction, but it was so burdened by enormous debts that it sold for a mere trifle. And thus ended the public career of a man who bid fair to be a rival of Pompey and of Cæsar; and who, if he had gained the consulship, might possibly have given a different direction to the destinies of Rome. But it is vain to speculate how history would have to be rewritten if a particular event had happened which in fact did *not* happen.

M. Sautius, who had headed Milo's slaves in the affray, was next put upon his trial, and was defended by Cicero and Cælius. He was more fortunate than his master, for he was acquitted by a majority of one. He was again indicted for a breach of the peace (*de vi*), and was again defended by Cicero: he was a second time acquitted. But Sextius Clodius, the ringleader in the late tumult, who was tried for arson in setting fire to the Curia Hostilia, when the body of Clodius was burnt, was convicted by a majority of forty-six to fifteen, and sentenced to banishment. Both the candidates for the consulship, Hypsæus and Metellus Scipio, were now accused of bribery, and tried under the new law. But Pompey had just married Scipio's daughter Cornelia, the widow of young Crassus who was killed in the East, and he was determined to save his father-in-law. He implored the jury to acquit him as a personal favor to himself. Hypsæus thought that he might obtain the same indulgence, and threw himself at Pompey's feet as he came out of the bath, to implore his help; but the great man spurned him

from him, and told him he was only spoiling his own dinner by detaining him.<sup>1</sup> Such was the justice and humanity of the man to whom Cicero had always so strangely clung. He next raised his father-in-law Scipio to the consulship, and during the last five months of the year they were colleagues together. In order to lessen, if possible, the indecent eagerness with which the consulship was sought by men whose chief object was to enrich themselves by the provincial governments that followed as a matter of course, a law had been passed the year before which enacted that no consul or prætor should obtain the government of a province until five years had elapsed after the expiration of his year of office. This law Pompey enforced, but at the same time took care to have his own command in Spain, which he had never yet visited as proconsul, prolonged for five years more. He also got the law revived which prevented candidates for the consulship from being elected in their absence, but with the addition of a clause which rendered it practically a dead letter; for it was provided that in special cases the restriction might be dispensed with. It was when powerful and intriguing men were candidates that it might be most necessary to enforce it, but they were just the persons most likely to have influence enough to get a dispensation in their favor. And so it happened now. To conciliate Cæsar, he was allowed to stand next year for the consulship without leaving his command in Gaul.

At the end of the year Cicero had the satisfaction of seeing both the tribunes, Pompeius Rufus and

<sup>1</sup> Val. Max. ix. 5.

Plancus Bursa, the implacable enemies of Milo and himself, convicted and punished. As soon as they had laid down their office they were accused of exciting, by their harangues, the mob to acts of violence and incendiarism, when it burnt down the senate-house at Clodius's funeral. Cicero undertook the prosecution of Plancus, the second time in his life when he had appeared against instead of for a defendant. Pompey interested himself warmly for Plancus; and, to save him, did not scruple to violate his own law; for in order to check the shameless practice of "giving characters" to parties on their trial, which, as has been previously mentioned, was called *laudare*, and had become the means whereby powerful men obtained the acquittal of their friends, he had a law passed which prohibited it in future; but notwithstanding this, he sent to the court a written declaration in Plancus's favor, against which Cato, who was on the jury, protested, exclaiming that the author of a law ought not to be allowed to set it at defiance. As may be imagined, this sufficiently showed which way Cato was likely to vote; and Plancus, availing himself of the provision to that effect, challenged him and had him removed before the verdict was delivered. But this did him no good: he was unanimously declared guilty, and sentenced to banishment.

Cicero did not disguise his exultation at this event. In a letter to his friend Marius he said, "Believe me I rejoiced more at this verdict than at the death of my enemy. . . . This foolish ape, out of mere wantonness, had singled me out as the object of his invective, and had persuaded some of my enemies that

he would be always ready to serve them against me. You may therefore warmly congratulate me. A great triumph has been gained."

In the same letter there is matter of a lighter kind. Some property was going to be sold of a deceased person who had made Cicero one of his heirs, and Marius had begged him to bid for him at the sale. Cicero laughs at him for giving such a commission to a person whose interest it was that the highest price possible should be got; and says, in joke, that as Marius had named the sum he was willing to give, he would take care to employ a puffer, and thus prevent the property from going for less.

The revival by Pompey of the law as to proconsular governments had an important effect on Cicero's interests; for as no ex-consul could now assume a provincial command until five years elapsed from the expiration of his consulship, one of its provisions enacted that in the mean time the provinces should be administered by those who had not yet held any such government; and this was imposed as an obligation, not granted as a privilege, so that there was no escape. But the number of such persons was limited, and Cicero was one of them. He and Bibulus drew lots for their appointments, and he got Cilicia and its dependencies. The office was one which he would have gladly declined if he could. So far from desiring what most ex-consuls coveted, he looked upon it as a burden; and we shall see him constantly urging his friends, as the greatest favor they could do him, to get him superseded as soon as possible.

## CHAPTER XVII.

## THE PROCONSULATE.

ÆT. 56-57. B. C. 51-50.

WE have now to regard Cicero in a new character, that of governor of a province,—and in this he deserves our almost unqualified praise. It would be little at the present day to say of the governor of an English colony, that his hands were clean, his administration was just, and his integrity unimpeached; but at Rome the case was very different. The proconsuls and proprætors set out for their respective provinces like rapacious vultures swooping down upon their prey. A province was the El Dorado by which ruined fortunes were to be restored, and from which the ex-governor returned to live in luxurious magnificence at home. The case of Verres was only an exaggerated example of what constantly occurred. He sinned in degree, but hardly in kind, more than many others. No impeachment was so frequent at Rome as an impeachment *de repetundis*, to make the ex-proconsul disgorge the plunder of his province, and punish him for the malversation of the funds intrusted to his care. No doubt the accusation was often used as a mere engine of attack to damage a political opponent; but the numerous convictions show how wide-spread the corruption was. De

Quincey says:<sup>1</sup> "The prolongation of these lieutenantcies beyond the legitimate year was one source of enormous evil; and it was the more rooted an abuse because very often it was undeniable that other evils arose in the opposite scale from a succession of governors, upon which principle no consistency of local improvements could be secured, nor any harmony even in the administration of justice, since each successive governor brought his own system of legal rules. As to the other and more frequent abuses in extortions from the province, in garbling the accounts, and defeating all scrutiny at Rome, in embezzlement of military pay, and in selling every kind of private advantage for bribes, these have been made notorious by the very circumstantial exposure of Verres; but some of the worst evils are still unpublished, and must be looked for in the indirect revelations of Cicero when himself a governor, as well as the incidental relations by special facts and cases." It is no light merit in Cicero to have been in advance of the morality of his age, and amidst the darkness of paganism to have exhibited the equity and self-denial of a Christian statesman. But a government was just the sphere in which he was fitted to shine. His love of justice, his kindness, his humanity, his disinterestedness, were qualities which all there came into play, without the disturbing causes which at Rome misled him more than once —

"To know the best, and yet the worse pursue."

The exhibition of a little harmless vanity seems really, with two exceptions to be noticed hereafter, the only charge which can fairly be brought against him

<sup>1</sup> Collected Works, Cicero.

as a proconsul of Cilicia ; and if there is not much to interest us in the period of his government, there is happily hardly anything to condemn.

One advantage that we gain from his absence abroad is the renewal of his correspondence with Atticus, which had been interrupted for upwards of two years and a half while they had both been resident in Rome ; but after he had set out on his journey, and until he quitted Italy, he wrote almost daily to his friend.

Quintus had returned from Gaul, and gone to Arcanum, one of his country-seats, where, having accepted the office of lieutenant to his brother, he was only waiting to join him on the road. The old bickering between him and his wife Pomponia still continued ; and the lady's temper had certainly not improved by age. Cicero mentions an anecdote of her at this time, which shows that she could make herself very unamiable. As he travelled south to embark for his province, Quintus came to meet him at Arpinum, and they proceeded together to Arcanum, where Pomponia was. Unfortunately Quintus sent one of his servants on before to order dinner, which gave offence to the mistress of the house as interfering with her arrangements. When they arrived, her husband, in the kindest tone, (so Cicero thought,) said, " Pomponia, do you invite the ladies amongst our neighbors, and I will ask the gentlemen." — " Oh ! " she replied sharply, and looking as cross as possible, " I am only a stranger here." Poor Quintus turned to his brother and said, " You see what I have to endure daily." The company sat, or, as Cicero expresses it, *lay down* to dinner, but Pom-

ponia declined to join them; and when her husband sent her something from the table, she declared she would not touch it. The sulky fit lasted for some time; and she refused to sleep that night with her husband, the last before his departure for Asia. Cicero mentioned all this in his letter to Atticus, and advised him to give his sister a hint, saying that he might tell her from *him* that Quintus was certainly this time not to blame.

His son and nephew both accompanied him to his seat of government, and were under the immediate care of the faithful Dionysius, who acted as their preceptor. At his Cuman villa he had a visit from Hortensius, whose country-seat was at Bauli, some distance off. He asked if Cicero had any commands, to which the newly appointed proconsul answered, that the only special favor he begged of him was to do his best to prevent the period of his government from being prolonged. He called it a "tremendous bore" (*ingens molestia*), and told Atticus his only consolation was that it would not last more than a year. He already felt that he could not be happy away from his beloved Rome; but he might have remembered the advice he gave to Trebatius and to Quintus, when *they* in Gaul pined after the society of the capital. But it is one thing to preach, and another to practise. So many persons came to bid him farewell, that he called his Cuman villa quite a little Rome; and it is a proof how sensitive he was to a slight, that, notwithstanding this, he noticed the absence of an acquaintance named Rufius, who had a house in the neighborhood, but who did not come to say good-bye. Pompey was

at his villa near Tarentum, recruiting his health, which had suffered from the fatigues of the consulship; and Cicero spent three days with him on his way to Brundisium, the port at which he was to embark. He gives no particulars of the conversations they had together, — indeed he says expressly that they were such as he did not like to trust to a letter, — but the way in which he speaks of him deserves notice. “I left him,” he says, “in an excellent frame of mind, and thoroughly prepared to ward off the danger that is feared.” And writing to Cœlius a few weeks later, he used nearly the same language, recommending him to attach himself closely to Pompey, whose estimate of persons was now very much the same as his own.

There can be little doubt that these expressions had reference to Cæsar and his apprehended designs. We must remember that more than two years had elapsed since those letters were written in which Cicero expressed himself in such friendly terms about the absent proconsul of Gaul, and most probably in the interval he had seen reason to change his tone. The approach of the coming storm seems to have been felt both by himself and Pompey, although the exact time and direction of its outburst were still uncertain; but the sky was sufficiently overcast to make the pilots of the commonwealth keep a good look-out ahead. An incident had occurred lately which must have caused an unpleasant impression in Cicero’s mind. When Plancus, whom he had prosecuted, was convicted, he took refuge with Cæsar at Ravenna, and was by him received with open arms and loaded with presents. And it is a noticeable

fact that Cicero was just now extremely anxious to pay off a debt which he owed to Cæsar. He had some time previously borrowed from him a considerable sum (800,000 sesterces, equal to about 7000*l.*) at interest, and he wrote in the most pressing manner to Atticus to pay this for him, out of funds which apparently he had left in the hands of his friend, or on which he had given him a credit. It is very probable that, looking at the signs of the times, and the chances that he might have to come into collision with Cæsar, he did not wish to remain under any pecuniary obligation to him. He had found Pompey bent upon going to his Spanish province, of which he had not yet assumed the government personally, but Cicero strongly dissuaded him, and pressed upon him the expediency of not leaving Italy. He wrote from Brundisium, which he reached on the twenty-second of May, to Appius Claudius, whom he was about to succeed, and earnestly begged him on no account to disband any of his soldiers, who were already too few, and to make arrangements for leaving the province to him in the best state of equipment and defence possible. The two were now on excellent terms; and, as a proof of his friendship, Appius had dedicated to him a work he had written on the College of Augurs, the first volume of which had just appeared.

Cicero stayed at Brundisium for nearly a fortnight, waiting for Pomptinus, one of his lieutenants. While there he wrote Atticus a letter, which has exposed him to the suspicion of acting with duplicity if not dishonesty towards his unfortunate friend Milo, who was then in exile at Marseilles. The material part of the letter is the following: —

"I hear from Rome that my friend Milo complains that I have done him an injury in allowing Philotimus [a freedman of Cicero's wife Terentia, and a much-trusted agent of his own] to be a partner in the purchase of his property. I so acted on the advice of Duronius, whom I know to be an intimate friend of Milo, and the kind of man you take him for. His object, and mine too, was this: — First, that the property might come under my own control, lest an ill-disposed and hostile purchaser might deprive Milo of his slaves, of whom he has a considerable number with him; and next, that his wife Fausta might have her dowry secured, as he wished. Besides, I could thus most easily save something from the wreck, if anything was to be saved at all. But I want you to look carefully into the matter; for I often hear exaggerated reports. If Milo really complains, and writes to his friend about it, and it is also Fausta's wish, do not allow Philotimus to remain in possession of the property against Milo's consent; for so I told him in person, and he engaged to do. It was not an object of any great moment to me. But if the thing is unimportant, you will judge what is best to be done."

On the strength of this letter Cicero has been accused of dealing in an underhand manner with Milo's effects, and buying them from some improper motive. But I confess I can see nothing of the kind. His explanation is simple and satisfactory, and I agree with Middleton and Manutius (a much safer authority) that it is rather a proof of his zeal and care for the interests of his friend.<sup>1</sup> But Middleton goes on to say that "Philotimus was suspected of playing the knave and secreting part of the effects to his own use, which gave Cicero great uneasiness." And Melmoth asserts that Philotimus bought the property at an undervalue, and adds that it is not easy entirely to vindicate Cicero; "for though he

<sup>1</sup> Abeken (*Cicero in seinen Briefen*, p. 221) says, "I am not so enamored of Cicero as Middleton; but I cannot bring myself to condemn him in a case which is so little clear to us."

pleaded in his justification an intent of serving Milo, yet it appears very evidently from his letters to Atticus upon this subject that he shared with Philotimus in the advantages of the purchase." In a case like this, affecting the purity of Cicero's conduct in a money transaction, it is right to examine closely the evidence on which the charge is founded. Now I can find none that Philotimus bought under the value, or that Cicero attempted to get for himself any advantage in the purchase. The only other letter in which he alludes to the matter is one to Atticus, in which the following passage occurs, written in Greek, for the sake, as he says himself, of secrecy. "My wife's freedman (you know whom I mean) seemed to me lately, from some expressions he inadvertently let fall, to have confused the accounts relative to the sale of the effects of the tyrannicide of Crotona.<sup>1</sup> I am afraid you do not understand me. When you have yourself looked carefully into this, make the rest secure." As Cicero feared Atticus might not be able to read his enigma, it can hardly be expected that we should be able to explain it. But so much is plain, that Philotimus appeared to have made up wrong accounts of the sale, which Cicero now heard of for the first time. There is another passage relating to the same subject which occurs in a letter of Cœlius, who says: "As regards the duty of your freedman Philotimus with reference to Milo's effects, I have taken pains to insure that he shall satisfy in the most honorable manner Milo in his absence and also his connections, — and that through his fidelity and zeal your reputation shall

<sup>1</sup> By this expression of course Milo is meant.

not be compromised." The upshot then is this: Philotimus, as Cicero's agent, and on his behalf, became part purchaser of Milo's property, and his accounts got wrong; whether wilfully or not, we cannot tell. But there is really not a pretence for saying that Cicero himself was to blame in the matter.

From Brundisium he crossed over to Corcyra (the modern Corfu), where he was hospitably entertained by one of Atticus's freedmen, who was settled in the island, and he then sailed to Actium on the opposite coast. He here determined to continue his journey as far as Athens by land, having had a disagreeable voyage from Brundisium, and not liking to double the promontory of Leucate. With our modern habits it seems ludicrous to find a great officer of state on his way to his government afraid of a coasting voyage from Actium to Athens in the calm waters of the Mediterranean.

He reached Athens on the twenty-fifth of June, and immediately wrote to Atticus expressing his delight at finding himself again in that famous city, full of noble monuments and works of art. But he was eager for news from Rome. Before leaving the metropolis he had made Cælius promise to keep him *au courant* as to all the political gossip of the day; and accordingly he received a letter from him, which mentioned amongst other things that an absurd rumor had got abroad in the Forum that he had been assassinated on his journey by Pompeius Rufus. Cælius was anxious to know what had passed at the interview with Pompey, and what were Pompey's real sentiments, "for," he said, "he is in the habit

of saying one thing and meaning another, and yet has not tact enough to conceal his thoughts." He added that Cicero's dialogue *de Republicâ* was then in great vogue at Rome. In another letter, as no public news was stirring, Cœlius tried to amuse him with ordinary gossip, but Cicero was half angry at this, and wrote back, "Do you think that I asked you to send me an account of what gladiator matches have been made — what recognizances have been enlarged — what theft Crestus has committed<sup>1</sup> — and such things as no one would venture to tell me about at Rome if I were there." He preferred having Cœlius's opinion as to the probabilities of the future, although he admitted that after his conference with Pompey he was likely to be as much enlightened as any one. Writing to Atticus, he took credit to himself for the inexpensive way in which he had travelled. By the Julian law he was entitled as proconsul to be entertained at the public cost in the various towns at which he stopped, but he had refused to accept any such hospitality, and had defrayed all charges out of his own pocket, and he said that hitherto he had no reason to complain of the conduct of his *suite* except that they gave themselves airs and talked foolishly. But upon the whole they were careful not to compromise his reputation, and kept to the terms on which he had

<sup>1</sup> Chresti compilationem, — *Ad Div.* II. 8. Middleton makes the extraordinary mistake of translating this "Chrestus's newsletter," as if *compilatio* meant a "compilation." True it is, however, that many a compilation amounts to a theft. Wieland commits the same blunder by rendering it *Zusammengestopfel*, "budget of news." They might have remembered the line of Horace:

— ne me Crispini scriinia lippî  
Compilasse putes.

engaged them to accompany him, which were that they were to be as little burdensome as possible to the public.

While staying at Athens he had an opportunity of obliging his friend Patro, the head or president of the school of Epicurus. That philosopher had by his will devised his house and gardens in trust for the successive leaders of his sect. The house had fallen into ruins, and the court of Areopagus, which had dwindled down to a sort of municipal council of Athens, had granted the site to Memmius, who, having apparently been convicted of corruption after the disgraceful revelation he had made of his iniquitous bargain with the consuls two years before, was now living in banishment or retirement at Athens. He had intended to build in Epicurus's gardens a house for himself, but the Epicureans looked upon it as an act of profanation, independently of its being a violation of trust. Patro had earnestly begged Cicero to interfere; and as Memmius quitted Athens for Mitylene the day before his arrival, he wrote to him and asked him as a favor to give up the site to the Epicureans. He rather laughed at Patro's antiquarian reverence for the spot, and treated the matter as one of very slight importance to Memmius, who we may hope gratified the philosophers by letting them enjoy their founder's bounty undisturbed.

A curious little trait of character peeps out in one of the letters to Atticus at this time, which shows that Cicero did not scruple to open a letter not addressed to himself. His packet of letters from Rome contained one from Pilia, Atticus's wife, to Quintus, on the subject of the matrimonial quarrel between

him and Pomponia, who was left behind in Italy. This letter he privately abstracted, and opened and read, telling Atticus without a word of excuse or apology what he had done, and begging him to make Pilia easy about his brother's conduct, but not to let her know that he had been prying into her correspondence. Her letter, he said, was full of sympathy.<sup>1</sup>

He stayed ten days at Athens, and then, as his missing lieutenant Pomptinus had joined him, left for Asia Minor, embarking on board an open-decked Rhodian vessel, which he found too lively a sea-boat to be comfortable. He was, in fact, a wretched sailor, and would have entirely agreed with Dr. Johnson in his definition of a ship as a prison with the chance of being drowned. He wrote to Atticus from Delos, and told him a voyage was a bad business in the month of July. But he escaped seasickness in crossing over to Ephesus, which he reached on the twenty-second of July, or, as he chose to date it, on the five hundred and sixtieth day after the battle of Bovillæ, that is, the affray in which Clodius was killed. The new proconsul was received on landing with much *empressement* by deputations of all kinds, and a crowd of persons was waiting to welcome him, expectant no doubt of patronage and pay. He confessed that his philosophy was likely to be put to trial by the prospect before him; but he wrote to Atticus that he hoped to remember the lessons he had learnt from him, and to be able to give general satisfaction. One fertile source of discord

<sup>1</sup> In one of his letters, *Ad Att.* VI. 3, he says: Q. Cicero puer legit, ut opinor, et certe, epistolam inscriptam patri suo. Solet enim aperire, *idque meo consilio*; si quid forte sit, quod opus sit sciri.

and discontent was happily removed, as the contracts for farming the revenues of the province had been concluded before his arrival. One of his next letters was, as he described it, "full of hurry and dust," written at Tralles, on his way to Laodicea, the first town in his province at which he would arrive.

This, although called Cilicia, comprised considerably more than what was usually known by that name. Besides Cilicia proper it embraced the island of Cyprus opposite, and certain districts, or what would now be there called pashalics, in Phrygia and Pamphylia.

Cælius in the mean time, as well as Atticus, kept up a correspondence with him, and told him what was passing at Rome. The letters of Atticus are unfortunately all lost, but a few of Cælius's still remain, and some parts of them are interesting. He was just then a candidate for the ædileship, and he begged Cicero, as soon as ever he heard that he was ædile elect, not to forget to send him a number of panthers for the wild-beast fights he intended to exhibit. He told him that Valerius Thessala, the former consul, had been tried (most probably for bribery) and acquitted, contrary to general expectation, and very much to the disgust of the public. He was defended by his uncle Hortensius, who paid the penalty of his success by being loudly hissed by the people next day when he appeared in the theatre. This was the first time that such a thing had happened to him in the whole course of his career, but now, said Cælius, he had enough of it for a lifetime.

Cælius was anxious that Cicero should dedicate some new work to him as a monument to posterity

of their friendship. But he begged it might be something suited to his own tastes, and of a learned yet popular kind. Wieland is rather hard upon Cœlius for this, and asks, "How could the vain light-headed man expect that the governor of so large a province as Cilicia, with all its dependencies, could have leisure to gratify so barefaced a request?" The fact is that Cicero thought very little of his provincial labors, and told Atticus that he had not a sufficient field for his industry; so that with his immense intellectual activity and energy he could easily have written what Cœlius desired if he had been so disposed. And surely it was not unnatural to wish to have a dedication from a man like Cicero. It was a better passport to fame than a consulship.

Cœlius concluded his letter by an urgent request for the panthers. He afterwards communicated the important news that Pompey had openly declared himself against the proposal to allow Cæsar to be consul and at the same time retain his province with a military command. This was the rock on which at last the Republic suffered shipwreck.

Cicero arrived at Laodicea on the thirty-first of July, and dated from that day the commencement of his government, which he was nervously anxious not to have prolonged beyond a year. His letters are full of the most pressing entreaties to his friends to exert themselves to prevent this. He told Atticus that he longed for the city, the forum, his home, and his friends, and that "the saddle had been placed upon the wrong horse."<sup>1</sup> If the term of his government was extended, he was, he said, undone (*si*

<sup>1</sup> *Clitellæ bovi sunt impositæ.*

*prorogatur, actum est*). He had expected Appius Claudius to meet him at Laodicea, or at all events in the neighborhood, but instead of this Appius went off to the eastern extremity of the province, and although his jurisdiction had properly ceased when Cicero arrived, he was holding courts and administering justice at Tarsus.<sup>1</sup> This gave Cicero great offence, and as he travelled through Cappadocia he wrote him a letter of grave and dignified remonstrance, saying that what he had done had all the appearance of a studied slight, and was little in accordance with the professions of friendship he had made. Another cause of grievance was, that out of the scanty military force for the defence of the province three cohorts were missing, and Cicero did not know where they were, nor what had become of them. Probably from prudential reasons he made no allusion in his letter to a more serious ground of complaint against the retiring governor. Appius had been a most oppressive and rapacious ruler. The Roman eagle had set its claws deep into the vitals of the province, which was nearly ruined. So bad had been his conduct that Cicero told Atticus that it was monstrous, and more like that of a savage wild beast than a man. He saw on all sides the misery to which the wretched provincials had been reduced, and this made him the more scrupulously determined not to impose upon them any burden or expense for the maintenance of himself and his *suite*. He would not take even his legal perquisites, such

<sup>1</sup> After the arrival of a new governor the retiring proconsul was allowed thirty days to vacate the province; but he was not to exercise any jurisdiction or authority.

as provender for his horses, and instead of quartering his followers in the houses of the inhabitants, made them generally live in tents. The consequence was, as might be expected, that he enjoyed an unbounded popularity, and crowds flocked to see the prodigy — as bitter experience had made them regard it — of a Roman proconsul travelling through the country, and not only not plundering it as he passed, but actually not levying a single contribution. We might wish indeed that in his letters he had said less about his own merits in this respect. But he would not have been Cicero if he had been silent on such a theme, and we can forgive the egotism of the man for the sake of the equity of the governor.

At the end of August he heard the alarming news that the Parthians had crossed the Euphrates in great force under the command of Pacorus, a son of the king Orodes, and that serious disturbances had broken out in Syria. There were also marauding bands in Cilicia itself on the south-eastern frontier. But the chief danger was from the Parthians; and as the mountain-chain called Amanus, which divided Cilicia from Syria, was traversed by only two difficult passes, and offered a strong barrier against attack in that quarter, Cicero thought it more prudent to march through Cappadocia, which had an exposed eastern frontier, and he pitched his camp at Cybistra, a little to the north of the Taurus range. While staying there he had an interview with Ariobarzanes, the king of Cappadocia, and a much favored ally of Rome. He wrote a public letter to the authorities at home, giving an account of the visit of the king, and the address is worth copying, to show the style

of the state missives that were sent to the sovereign Republic: —

M. TULLIUS M. F. CICERO PROCOS. S.P.D. COSS.  
PRÆTT. TRIBB. PL. SENAT.

Which, fully expanded, means, “Marc Tully Cicero, the son of Marc, Proconsul, sends health and greeting to the Consuls, Prætors, Tribunes of the People, and Senate;” — and it begins in the following cabalistic form: S. V. V. B. E. E. Q. V., that is, *Si Vos Valetis, Bene Est; Ego Quoque Valeo* — “If you are well, it is well; I also am well.” The letter does not contain a syllable of allusion to the state in which he found the province owing to the misgovernment of Appius.

The apprehended danger from the Parthians passed away, but Cicero marched with his little army through a defile of the Taurus into Cilicia, and passed through Tarsus to the foot of the Amanus range, intending to occupy the passes in case the enemy should attempt to invade his province in that quarter. He thought that this would be a good opportunity to extirpate the independent tribes who in their mountain fastnesses had hitherto defied all attempts to conquer them, and whom he called the eternal enemies of Rome. They had kept up on a smaller scale a war something like that which has so long been waged in the Caucasus against Russia.

It must be borne in mind that, with the exception of the short campaign under Pompeius Strabo in the Marsian war upwards of thirty years before, Cicero had seen no military service, and was most probably never in an action in his life. He was one

That never set a squadron in the field,  
Nor the division of a battle knew  
More than a spinster, —

but he conducted this his first military manœuvre with spirit and success. In order to deceive the enemy he pretended to have other objects in view, and withdrew to the neighborhood of Epiphania, a day's march from the Amanus range. Suddenly, during the night of the twelfth of October, he advanced to the foot of the mountains, which he began to ascend at daybreak, and, falling on the inhabitants, who were scattered and quite off their guard, he put great numbers to the sword and took many captives. The fortresses, however, held out for some time bravely, but were all taken and many of them burnt, and the whole region was laid waste with fire and sword.

In consequence of this successful raid (he calls it a "victory") Cicero was hailed by his soldiers IMPERATOR in the field. This happened at Issus, which he did not forget was memorable as the scene of Alexander's victory over Darius; and indeed the name of the spot where his army halted must have forcibly reminded him of Alexander's expedition in the East. It was called Aræ Alexandri. He stayed here four days, and then determined to try and subjugate a hardy race of highlanders who called themselves Free Cilicians,<sup>1</sup> and had never yielded allegiance even to the native princes in the days when Cilicia was independent. Their citadel was Pindenissus, strongly fortified, and on a lofty hill, which was difficult of access. Cicero regularly invested the

<sup>1</sup> Eleuthero-cilices.

place, surrounding it with a trench and rampart and redoubts, and then assaulted it with all the engines of war in use at that period. It held out for forty-seven days,<sup>1</sup> and did not yield until a great part of it was burnt and in ruins. The booty was given up to the troops, except the horses, and the inhabitants seem to have been sold as slaves. After this the neighboring tribe of the Tibarani sent hostages in token of submission, and the whole country being now quiet, Cicero allowed his troops to retire into winter-quarters, under the command of Quintus, and went himself to Laodicea.

What he had done was not very much, but he had done it well, and he was proud of his military honors. Writing to Atticus, he told him he had occupied the same encampment at Issus as Alexander — “a general,” he added, with mock gravity, “not a little superior to you or me.”

In giving an account to Cœlius, who was now ædile elect, of his campaign, Cicero told him that his reputation had served him in good stead, for even in the furthest corner of Cilicia people asked, “Is this the man who saved the city? Whom the Senate — ?” And this gave him authority with the army. But he pined more than ever for Rome; and writing to congratulate Curio on being elected a tribune, he urged him, with almost passionate entreaty, not to allow his absence to be prolonged beyond a year.

<sup>1</sup> It is curious that Cicero gives two different accounts of the length of the siege. In a letter to Atticus he says, *septimo et quadragésimo die*, as I have stated it in the text; but writing only a few days afterwards to Cato he calls it *fifty-seven days*, *septimo quinquagesimo die*. This is instructive when we consider the use made of some of the discrepancies in Scripture. Are we therefore to suppose that the siege of Pindenissus was a fiction?

But he was in reality in high spirits, and very well satisfied with himself just then. It was impossible for him not to be conscious of the benefits which his just and equitable rule had conferred upon the province; and he confessed to Atticus, with much *naïveté*, that he really had never before known the extent of his own self-denial and integrity! He had received a letter from his friend Volumnius, surnamed Eutrapelus, or the Witty, telling him that since he had been away from Rome all the jokes in the capital were fathered upon him; and he wrote, in a jesting strain, to complain that his property of Attic *salt* was not taken better care of by Volumnius, whom he had left to manage it in his absence. He begged that in future every joke might be disclaimed as his which was not of the wittiest and cleverest kind. To use a modern phrase, he did not wish to be considered an utterer of base coin. All metal passed off as his must have the genuine ring.<sup>1</sup>

He was very anxious that honorable notice should be taken at Rome of his exploits, and the usual mode of doing this was for the Senate to appoint a certain number of days for public thanksgiving, called *supplicatio*. But he was afraid of Cato's opposition. He remembered that on a former occasion the stubborn senator had said "No!" when the question was whether such a mark of honor should be conferred upon Lentulus Spinther when he was proconsul of Cilicia. He therefore addressed to him a long letter at the beginning of the year, full of the most artful flattery and compliment. He gave a narrative of

<sup>1</sup> In his speech *pro Plancio* he says: Stomachor, cum aliorum, non me digna, in me conferuntur.

his own services since he had assumed the government of the province, and then earnestly begged him to support a motion in the Senate for a public thanksgiving, attributing the greatest possible weight to Cato's good opinion. One word of praise from him was worth everything.

"As to myself," he said, "if ever there was a man by nature, and still more as I believe by force of reason and education, indifferent to empty applause and vulgar admiration, I certainly am he. I appeal to my consulship, in which, as in the other periods of my life, I confess that I pursued that conduct from which real glory might be gained, but I never thought that glory in itself and by itself was a proper object of ambition. And on this principle I abandoned (when consul) the choice of a well-equipped province and the very probable chance of a triumph."

He went on to state that his present desire for a public thanksgiving was because he regarded it as some reparation for the wrong done him by his banishment, and a proof of his country's approbation. He concluded his letter thus:—

"Let me, in the last place, and as in diffidence of my own solicitations, call in Philosophy as my advocate, than which nothing has ever been dearer to me in my life. The truth is, she is one of the noblest blessings that the gods have bestowed on man. At her shrine we have both of us from our earliest years paid our adorations: and while she has been thought by some the companion only of indolent and secluded theorists, we, and we alone I had almost said, have introduced her into the world of business, and familiarized her with the actual realities of daily life. She therefore it is that now solicits you in my behalf; and when Philosophy is the suppliant, Cato surely cannot refuse."<sup>1</sup>

And what was Cato's answer to this appeal? He

<sup>1</sup> I have in this instance availed myself, with only a slight change, of Melmoth's translation of the passage, for I think it is spirited and sufficiently correct.

did not write for nearly six months, and his letter then must have been very disappointing. It was a stiff and formal epistle, and the purport of it was that Cicero ought to have felt that virtue is its own reward, and been content with the praise bestowed upon him, instead of asking for a more substantial proof of approval. Part of the letter seems almost to ignore the idea of a Providence, but the meaning I think is, that it was more creditable to keep the province by good government than to owe its preservation, under bad government, to the special interposition of Heaven, — a doctrine to which no exception can be taken.

Although it is rather anticipating, it will be convenient to mention here that Cicero at first took this reply in good part, and wrote to Cato, saying that he rejoiced *laudari a laudato*, and that he preferred his praise to the laurel garland and triumphal car; and in a letter to Atticus he declared, that, although Cato had not voted for the decree, yet the language he used was worth all the triumphs in the world; but he soon changed his tone when he found that Cato had granted to Bibulus what he had refused to himself, and had voted for a thanksgiving in honor of the proconsul of Syria for successes in that province. He then wrote to Atticus in a very different strain, and said, with strange and startling inconsistency, "Cato's behavior towards me has been meanly malevolent. He gave me a testimonial, *which I did not want*; of my integrity, justice, clemency, and honor; but refused what I asked for." And he called him most ungrateful. Such were the contradictions into which his vanity betrayed him.

Tullia had for some time been divorced from Crassipes, and her father was on the look-out for another match for her, obscure allusions to which occur now and then in his correspondence with Atticus. We are therefore surprised to find him writing in friendly terms to his quondam son-in-law, who was then quæstor of Bithynia, and asking him as a special favor to be civil and attentive to some persons in whom he took an interest. It is one of the many proofs we constantly meet with how much less sensitive on such points the ancients were than ourselves.

He quitted Tarsus on the fifth of January, B. C. 50, and crossed the Taurus range to make a progress through the other parts of his province. He says it would be impossible to describe the wonder and admiration of the inhabitants of Cilicia, and especially of Tarsus, at the mildness and equity of his government; and we need not doubt that this feeling was sincere. He was such a ruler as they had never known before. For six months not a single requisition had been made upon the provincials, unless indeed we except a few trifling necessities allowed by law; which one of his lieutenants had exacted as he passed through the towns. Formerly, wealthy towns and districts used to bribe the governor with large sums not to quarter troops upon them during winter. The island of Cyprus had paid as much as two hundred Attic talents, a little less than fifty thousand pounds, at one time to purchase the exemption. Now not a farthing was taken from them. The provincials would have gladly shown their gratitude by erecting statues and temples in honor of their gov-

error, but he positively forbade it.<sup>1</sup> There was a severe scarcity felt, owing to a failure of the harvest, and the dealers in grain had been keeping it back to get famine prices; but as he passed along on his way to Laodicea, he persuaded them to open their stores, and thus alleviate the sufferings of the people. All this made him extremely popular; and it is pleasant to find him, when he mentions it to Atticus, telling him that he was only following his counsel and advice. It speaks well for the heart of both.

Now that military operations were suspended, Cicero addressed himself to his civil duties. He chalked out for himself a course of occupation which would bring justice to the door of the inhabitants of the whole of his extensive province. This was to hold at Laodicea, for the first three or four months of the year, successive courts to try causes arising in the different districts north of the Taurus, allotting a certain time to each district; and afterwards to go into Cilicia and pursue the same course there. But no miser ever kept a more accurate account of his treasure than Cicero did of the days which he must spend away from Rome. He had arrived in his province on the last day of July, and on the thirtieth of July this year he was resolved to depart, unless the Senate prolonged his stay.

<sup>1</sup> On another occasion, Cicero was angry with his freedman Pelops for not exerting himself to get a statue of him erected by the Byzantines. See *Ad Att.* XIV. 8; *Plut. Cic.* 24. Some coins were discovered at Sipylus in Lydia with Cicero's name and head upon them, but they are not considered genuine. Drumann (*Gesch. Roms.* VI. 111) observes that it was never the custom to put the head of an existing governor upon the provincial currency. The form of the letters also betrayed a later origin.

To show the kind of cases with which he had in his judicial capacity to deal, I will mention one which strongly illustrates the way in which the law of debtor and creditor might be abused in a distant province of the empire, and it is one in which Cicero seems to have made a compromise between equity and friendship, to the detriment of the former. If his provincial decisions had been "reported," and the volume had come down to us, the case to which I allude would have been known as that of *Scaptius v. Inhabitants of Salamis*. It is curious and instructive in several respects. Some time before, the town of Salamis in Cyprus had borrowed a sum of money on a bond which secured repayment, with interest at forty-eight per cent. Being pressed for payment, a deputation was sent to Rome to try and borrow the amount, giving an assignment of the bond as security. The money-lenders of the capital, however, declined to advance the required sum, for the law did not allow them to put such a bond in suit, the legal interest being only twelve per cent.<sup>1</sup> At last Scaptius and Matinius, two friends of Brutus, came forward and offered to lend the money, provided that forty-eight per cent. were secured to them by a decree of the Senate; but in this they acted merely as agents of Brutus, who was the real but undisclosed principal. By his influence two decrees were passed: one that the governor of the province was to enforce

<sup>1</sup> This is the reason given by Cicero: *quod e syngrapha jus dici lex Gabinia vetabat*. But one would have thought there was an obvious mode of getting over the difficulty. Why did not the Salaminian deputies execute a fresh bond securing twelve per cent., the legal rate of interest, instead of assigning the old one? Perhaps 12 per cent. would not satisfy the Roman usurers.

payment of interest as secured by the bond, and the other that the lenders were to suffer no loss on account of the stipulation it contained. The money was accordingly advanced. But a decree of the Senate could not abrogate a positive *law*, and by the *lex Gabinia* no more than twelve per cent. could be recovered. Upon reflection, therefore, a third decree was passed, that the bond in question should have no special privilege, so that in effect the former decrees were set aside. Time passed on, and Scaptius went to Cyprus, where Appius Claudius, who was Brutus's father-in-law, and governor of Cilicia, made him one of his prefects. Armed with this authority, he harassed the inhabitants of Salamis for payment of the bond; and on one occasion shut up the city councillors in their town-hall, which he surrounded with cavalry, and kept them there imprisoned until five of them actually died of starvation. This was going on when Cicero arrived in Asia Minor, and one of the deputations that met him on landing at Ephesus was from Salamis to implore his protection. He immediately dispatched letters to Scaptius, ordering him to send his cavalry out of the island. Brutus had already written to him about the debt due from the Salaminians "to his friends Scaptius and Martinus," but gave no hint then that he himself was the real party interested. Scaptius came to him while he was in camp, and begged him to renew his office of prefect, which he had held under Appius; but Cicero had laid down a wise rule, that he would appoint no one who was engaged in trade, and Scaptius was a merchant. Scaptius therefore was told that he could not be a prefect, but that he should

recover his money. Afterwards the parties came before Cicero at Tarsus, and he heard the case. By this time he knew that Brutus was in reality the creditor. The Salaminians complained bitterly of the injuries they had received from Scaptius; but Cicero said he had nothing to do with that, and told them they must pay the money. They made no demur, and, with adroit flattery, said that the money they had for the purpose was in fact his own, for they had been accustomed to give the proconsul a larger sum than they owed on the bond, and as he had refused to take a farthing from them, it lay at his credit, and they were ready to pay to his order. "All right," said Scaptius; "we have only now to settle the amount." But in the edict or proclamation which Cicero had published in the usual manner when he assumed his government, announcing the principles on which he would administer law, he had declared that he would allow only twelve per cent., with compound interest, on loans. Scaptius, however, claimed forty-eight per cent., and produced the first decree of the Senate in support of his claim. Cicero, giving an account of this to Atticus, says that he was horrified, for to enforce payment of the debt at that rate would have been the ruin of the town. But the subsequent decrees were then referred to, and the last of them, which has been already quoted, relieved him of all difficulty, for it in effect repealed the others. He pointed out this to Scaptius, who then *took him aside*, and admitting that it was so, and that he had not a word to allege against it, said privately that the town in reality owed him less than it thought—that it supposed the amount was two hundred

talents, and he begged Cicero to make them pay him that sum. "Very well," replied Cicero. He then called in the deputies from Salamis, and asked them how much their debt was. They said one hundred and six talents. Scaptius protested it was more, but an account was taken on the spot, and it was found they were right. They immediately offered to pay the money, but Scaptius again *took Cicero aside*, and entreated him to let the matter stand over, and not force him to take the money. The cunning scoundrel wished to wait for the chance of a new governor coming, who might be persuaded to enforce payment of the forty-eight per cent. Cicero says that *the request was an impudent one, but he yielded to it*. The poor Cyprians then prayed to be allowed to deposit the money in a temple, which was equivalent to paying money into court with us, and thus prevent further interest from accruing; but this Cicero refused, and he admits he did so out of complaisance to Brutus (*sed totum hoc Bruto dedi*). It is extraordinary that Middleton should allow his admiration of his idol so completely to blind his judgment that he can see nothing blameworthy in Cicero's conduct relative to this affair. He gives only a short and confused account of the transaction, and suppressing all mention of the injustice of which Cicero was guilty to oblige Brutus, fixes the reader's attention wholly upon his refusal to allow the "extortion" of Scaptius.<sup>1</sup> He says, "Though he had a warm in-

<sup>1</sup> There are few things more difficult to explain thoroughly than the old Roman law of contracts; and it is by no means easy to understand the Scaptius case. Middleton clearly did not. I think that the narrative I have given is correct. Abeken admits the difficulty, *Cicero in seinen Briefen*, p. 214.

clination to oblige Brutus, yet he could not consent to so flagrant an injustice, but makes frequent and heavy complaints of it in his letters to Atticus." Who would suppose from this that Cicero himself told Atticus, *totum hoc Bruto dedi*? The truth is, that, under all the circumstances of the case, there would have been no "injustice" in enforcing the bond; but it was injustice not to allow the debtors to pay when they were willing, and to prevent them from depositing the money where interest would have ceased to run, as their creditor refused to receive the principal. Cicero, however, rather prided himself on the way he had dealt with the case.<sup>1</sup> If one of the most upright of Roman governors could allow himself thus to trifle with equity, what may we not believe of the conduct of others? "For if they do these things in a green tree, what shall be done in the dry?"

But this was not the only case in which he abused his proconsular authority in favor of Brutus. Ariobarzanes, the petty king of Cappadocia, was hopelessly involved in debt. He owed an enormous sum to Pompey for principal and interest: he also owed money to Brutus, and had no means of paying off either of these debts. He was poor almost to a proverb,<sup>2</sup> and had neither revenue nor treasury. He could not wring from his subjects enough to pay even the monthly interest to Pompey. Brutus had commissioned Cicero to procure payment of his debt; and Ariobarzanes, on being applied to, promised to

<sup>1</sup> He wrote to Atticus, "itaque irascatur qui volet: patiar. τό γὰρ ἐν μετ' ἐμῶν." — *Ad Att.* VI. 1.

<sup>2</sup> Mancipiis locuples eget æris Cappadocum Rex. — *Hor. Epist.* I. 6.

send the money ; but Pompey's agents then began to put on the screw, and his name was all-powerful, especially as it was generally believed that he was coming to Asia Minor to take the command against the Parthians. Payment therefore of interest to him absorbed all the available means of the hapless prince whom the Roman Senate had placed under the special protection of Cicero, as a ward under the protection of a guardian ; but notwithstanding this, and although Cicero declared that no one was more destitute than the king, and nothing more ruined than his kingdom, he, to gratify Brutus, persecuted him with applications and reproaches, to try and force him to pay the debt. What the result was does not appear, but he was so satisfied of the king's inability that he says he thought of making for him, as his guardian, a public declaration of insolvency.

But that he was a most popular governor, admits of no doubt. Instead of imposing the Roman law upon the people, he allowed them to try their causes in their own courts according to their own local customs, and with native jurymen. A good effect of this was that the provincials flattered themselves with the idea of independence.

He also made himself personally popular by his affability and courtesy. A Roman governor was a very great personage in the eyes of the provincials. With his lictors, his fasces, and his pomp, he dazzled and frightened them. It was not easy to approach him, except through secretaries and at formal interviews ; and many a complaint must have remained unheard, and many a wrong unredressed, from the difficulty of conveying a knowledge of it to his ear.

But Cicero was accessible to all. If a petitioner wanted to see him, he had not to address himself to a groom of the chambers (*cubicularius*), but might go straight to the proconsul himself. He rose before daybreak, and was ready to receive applicants as he walked up and down his hall, just as, he says, he used to do when he was a candidate for office at Rome; and his old habits made this easy to him. He gives an amusing account of a Roman grandee named Vedius, who came to see him, and who travelled *en grand seigneur*, with a couple of foreign chariots, a litter, and a long train of slaves, for which, he says jokingly, if Curio's turnpike bill were passed, Vedius would have to pay a considerable toll.<sup>1</sup> He had with him, besides, an ape and some wild asses. He put up at Laodicea at the house of Vindullus, where he left his equipage and baggage while he went to pay his respects to the governor, who was some distance off. During his absence Vindullus died, and as they were sealing up his effects they had to examine Vedius's things to separate them from the rest. Amongst these they found five little statuettes or pictures of Roman married ladies, with whom it was inferred he had carried on intrigues. Cicero told this bit of scandal to Atticus with great glee; "for we are both," he said, "pretty curious" (*sumus enim ambo belle curiosi*).

We find in his correspondence at this period a few allusions to domestic matters. The two young Ciceros were pursuing their studies with their tutor

<sup>1</sup> Curio as tribune had brought in a bill for a *lex viaria*, to repair and maintain the public roads by levying a toll on those who used them. But I am not aware that there were any *turnpikes* in our sense of the word on the Roman *vias*.

Dionysius, whom he calls thoroughly trustworthy, but the boys thought him very passionate. In distinguishing the characters of the cousins, he says that his nephew required the rein and his son the spur. Young Quintus had now reached the proper age for assuming the *toga pura*, or dress of manhood; and in the month of April his uncle invested him with it with the usual formalities. Tullia was free to marry again, and the advantages of several matches had been considered by her father. Different suitors sought her hand, and, amongst others, Tiberius Nero, who either went or wrote to Cicero in Cilicia to obtain his consent. He appears to have been willing to give it, and sent messengers to his wife and daughter to sound them on the subject; but in the mean time Tullia had made another engagement for herself, and one which her father had himself for some time contemplated as probable, so that Tiberius was disappointed. He afterwards married Livia, and by her became the father of Tiberius the emperor. Augustus fell in love with her, and, compelling her husband to divorce her, married her himself. If Tullia had accepted the proposal of the elder Tiberius, the world might possibly have been spared one monster. It seems strange to us that the person whom Cicero had chiefly in his eye as a husband for his daughter was at the time he first thought of him a married man. He was Lucius Cornelius Dolabella, a profligate young nobleman, one of the worst men in that bad age; but Cicero knew that a divorce between him and his wife Fabia was very probable, and Cœlius wrote to him in January, and told him that it had just taken place. In the same letter he

mentioned that everything just then was very flat at Rome, and no news was stirring. He begged Cicero to remember the panthers, and said "it will be a shame if I do not have some." Cicero, in his answer, told him that he had given orders to the hunters to get the panthers, but there were only a few; and he wittily added that the poor beasts complained that they were the only creatures in his whole province that suffered from treachery and violence. Dolabella afterwards did marry Tullia, and the engagement placed Cicero in rather an awkward predicament with reference to Appius, as I will now explain.

The letter has been mentioned which Cicero wrote to Appius, complaining of his want of attention in not meeting him on his arrival in the province. This led to a not very amicable correspondence between them, in which Appius retorted upon Cicero that *he* had been guilty of discourtesy in not going to visit him. But there were more serious grounds of offence. Some creatures of Appius wished to erect a temple or monument in his honor at a town in Phrygia called Appia, apparently after him, and Cicero had thrown obstacles in the way, on the ground that a heavy expense would be caused to the inhabitants, who were to be taxed to raise the money for the purpose. Also a deputation had been got up to go on a complimentary mission to Rome, and sing the praises of the ex-governor; but this too, as Appius believed, had been stopped by Cicero.<sup>1</sup> He, on the other hand, brought under Appius's notice the complaints made of his intolerable exactions; and while

<sup>1</sup> This, however, was distinctly denied by Cicero, who said that he merely wished to limit the expense of the embassy; and at last gave way even on that point. — See *Ad Div.* III. 10.

this kind of recrimination was going on, it was not likely that their feelings towards each other could be cordial, notwithstanding the tone of compliment in which Cicero expressed himself, declaring that he desired Appius to believe that he was not only one of his friends, but one of his dearest friends. The result was that Appius returned to Rome much dissatisfied with his successor; but when he arrived there he found an impeachment awaiting him. Dolabella, the very man whom Cicero expected to be his future son-in-law, came forward and accused him of malversation in his government. It was of course everything to Appius to have Cicero on his side, for if he were hostile he could most materially assist the prosecution in getting evidence for a conviction. But Appius relied upon him notwithstanding their late difference. He therefore immediately on his arrival wrote to him in a very different strain. His letter is lost, but it is described by Cicero as full of courtesy and kindness. He seems, however, to have made no allusion to the *cause* of his sudden change of tone, namely, Dolabella's accusation; and Cicero, in his answer, attributed his civility to the effect of his return home to the more polished society of the capital. With a mixture of good-nature and hypocrisy he readily grasped the hand of reconciliation held out to him, and availed himself of the opportunity to entreat Appius, "out of regard to their old friendship, to exert himself, as he promised, to get a public thanksgiving decreed in his (Cicero's) honor as soon as possible." We may well be surprised that he should stoop to ask a favor of a man of whose misgovernment he had such convincing proofs constantly before

his eyes, or wish to owe in any degree to him a public recognition of his own services.

To show what he really thought of Appius's conduct as a governor, I will quote a few passages from a letter which he wrote to Atticus in March:—

“ Appius sent me on his journey two or three grumbling letters, because I had rescinded some of his ordinances. Just as if a doctor, when his patient called in other advice, were to be angry with the new medical attendant for making a change in the treatment; so Appius, who put the province on a reducing system, bled it, took all he could from it, and handed it over to me in a dying state, does not like to see me give it a nourishing diet, but at one moment is angry and another thanks me. For I do nothing to his disparagement: only the difference of my system displeases him. For what can be so different as that under his rule the province should have been exhausted by expense and extravagance, while during my government not a farthing has been exacted from individuals or the public? What shall I say of his prefects—his retinue—his lieutenants—aye! his robberies—his licentiousness—his insults? Now, however, there is not a family which is under such management and discipline as the whole of my province.”

With this expression of opinion before us, it is with astonishment we read the letter which he wrote to Appius when he heard that Dolabella was his accuser. He was anxious no doubt to clear himself from all suspicion of being party or privy to the prosecution, as Dolabella's engagement to Tullia had become known; and Cœlius had cautioned him not to express any sanction or approval of it while the trial was pending, lest he might be compromised with Appius. But the language he uses is that of extravagant praise. If he had really thought Appius a paragon of excellence, he could not have written in more complimentary terms. He expressed his sur-

prise at the temerity of the young man, without naming him, whom he had himself twice defended on serious charges, and who now came forward as the accuser of Appius. Dolabella seems to have said either that he was or would be backed by Cicero, and Appius complained of this. Cicero now declared that Dolabella's assertion was silly and childish, and that he himself would have been more ready to break off an old connection than form a new one with a man who gave such a proof of his hostility to the ex-proconsul. In the rest of the letter he insists on the similarity of their tastes, the intimacy of their lives, the *éclat* of their reconciliation, as grounds to show that Appius might rely upon him; and he appeals to his own character in proof that the friendship he professes is sincere. He insists also on the fact that they both belonged to the Augural College, in which not only was a violation of friendship deemed by their ancestors a sin, but into which no one could ever be elected who was the enemy of any member of the body.

The trial took place, and Appius was acquitted; but another indictment was preferred against him for acts of bribery and corruption charged to have been committed when he stood for the consulship five years previously. Before it was tried he became a candidate for the censorship. Cicero wrote to congratulate him on the result of the first prosecution, and addressed his letter "To Appius Pulcher (as I hope), Censor." He told him that he had kissed the letter in which Appius had mentioned his acquittal, and had congratulated even himself; "for the tribute," he said, "that is paid by the whole people, the

Senate, and the body of jurymen, to intellect, industry, and virtue, — I perhaps flatter myself in fancying that these qualities are mine, — I consider as paid also to myself.” He added that he was not so much surprised at the glorious issue of the trial as at the perversity of Appius’s enemies. This could only refer to Dolabella, his son-in-law in prospect. “How unfortunate,” he exclaimed, “for me that I was not present! What roars of laughter I would have excited!” He rejoiced to hear that, owing to the unanimous feeling in his favor, Appius might be said to have been defended by the Republic herself, whose duty it was, even when the good and brave abounded, to protect men of that stamp, but who now, when there were so few left, ought in her bereavement to cherish them as her protectors. He said he would take care to brand with opprobrium the mercenary witnesses from the Asiatic towns, who had appeared against Appius at the trial.

Now when we remember what these witnesses came to prove, — namely those very misdeeds of the ex-governor of which Cicero himself, in his letters to Atticus, had so strongly complained, — it is difficult to understand how he had the face to pen such a passage as this. If he had put his threat in execution he would have been guilty of gross injustice, unless indeed the whole story of Appius’s misrule was a fiction, and in that case no one had libelled him more disgracefully than Cicero himself.<sup>1</sup>

The prosecution for bribery failed as signally as

<sup>1</sup> Cicero seems to have sent his testimony, or, as we should say, deposition, to Rome in favor of Appius. *Post hoc negotium autem et temeritatem nostri Dolabellæ, deprecatores me pro illius periculo præbeo.* — *Ad Div.* 11. 13.

the other, and Appius was unanimously acquitted. Cicero again wrote to congratulate him, and entered upon the delicate question of his own connection with Dolabella, the accuser. He begged Appius to put himself in his place, and if he then found it easy to know what to say, he would not ask him to excuse his present embarrassment. But it is better here to quote Cicero's own words. His language is curious and characteristic :—

“I wish indeed,” he said, “that what has been done without my knowledge [that is, his daughter's engagement] may turn out, as you most kindly desire, prosperously both for me and my Tullia. But I also hope, that it may have happened at that particular time [when Dolabella came forward as prosecutor], not without some good luck attending it. However, in entertaining this hope, I rely more on your good sense and kindness than on any arguments drawn from coincidence of time [that is, his own absence concurring with Tullia's engagement]. To say the truth, I don't know how to go on with my vindication. For I ought not to say anything in disparagement of an event [the proposed marriage] which you yourself congratulate me upon; and yet I am annoyed at the possibility of your not perceiving that what has been done was done not by me, but by others to whom I had given authority to act according as they thought best without referring to me, inasmuch as I was so far off. But it occurs to me that you may ask, ‘What would *you* have done, if you had been at home?’ I answer, I would have approved of the marriage. But as to the time of its taking place, I would have done nothing against your consent, nor without your advice. You see what pains I take to defend what has been done, and yet not offend you. Relieve me, then, of this burden, for I think I never handled a more difficult case.”

By this long, obscure, and labored apology, Cicero meant to say simply this:—“I am sorry that it so happened that my son-in-law was your accuser. I knew nothing about it, and therefore do not blame

me. I think he acted very wrongly in prosecuting so excellent a man as yourself. I approve of the engagement, but I heartily wish it had not coincided, in point of time, with your own impeachment." No wonder that, when he wrote thus, he should feel that Cœlius, who knew his real sentiments as to what Appius deserved, would be surprised at the contrast. In a letter to him he said, "What if you were to read my letter to Appius, which I sent to him after receiving yours! But what would you do? Such is the way of the world (*sic vivitur*)."<sup>1</sup> The truth is, that he was afraid of breaking with Appius, who had powerful connections and numerous friends, — for Pompey's son Cnæus had married one of his daughters, and Brutus another, — and he *professed* to be personally very fond of him. In a letter to Cœlius, written at the end of April this year, and which I strongly suspect he thought Appius was likely to see, he says, "I very much like Appius, as I have often told you in conversation, and I felt that I began to be liked by him as soon as ever we laid aside our mutual grudge at each other; for when he was consul he showed me respect. He is a pleasant friend, and our literary tastes and pursuits correspond."<sup>1</sup> But to Atticus, to whom he unbosomed his thoughts without reserve, he expressed himself much more coldly about him: — "I am doing," he says, "all I can for Appius, all, I mean, that I can with honor, and with good-will too, *for I have no hatred to him himself*, and I love Brutus; and Pompey, to whom I

<sup>1</sup> It is a terrible proof of the immorality of the times, that, when Appius was Censor and Cœlius was Ædile, each preferred an indictment against the other under the *lex Scatinia*; a law, *in molles et effeminatos qui nefundâ venere uterentur*.

feel attached more and more every day, is extremely urgent with me about him.”<sup>1</sup>

We should notice what he here says about Pompey; and in other letters he declares that he is wholly devoted to him, and is ready to die for him. He had a prescient feeling of the coming storm, and had already made his election. Writing to his friend Thermus, who was then proprætor in Asia Minor, he said, “Who knows what sort of times are before the Republic? To me they seem likely to be turbulent ones.” He was very impatient to get back to Rome, from which, as time rolled on, he became more than ever desirous of news. Writing to Cœlius in June, he said, —

“Clings to the city, my friend, and live in her light. Every foreign employment, as I thought from my earliest manhood, is obscure and petty for those whose abilities can make them famous at Rome. And as I well knew this, I wish I had acted on that opinion. I do not consider all the profits of a provincial government as comparable with a single walk and conversation with you.”

He was now anxious, as no successor had yet been appointed, to find a proper person to whom he might intrust the care of the province when he left it. He would have preferred Quintus, but he was by no means sure that his brother would consent, and as there seemed to be a prospect of a Parthian war, he did not like to ask him to accept so troublesome a post, especially as the province was ill provided with means of defence. Besides, he feared his enemies might say that he had not really resigned his post at

<sup>1</sup> The ending of this letter shows the active habits of Cicero: *sed lucet; urget turba*. “The day is breaking; my *levée* is getting crowded.”

the end of the twelvemonth, if he appointed a second self like his brother to take the command. He says that he had performed exploits which were worthy of a triumph, for which, however, he would show no undue eagerness. We may think indeed that his claim to a triumph rested on rather slender grounds, but there seems to be little doubt that, if civil war had not broken out, he would have gained this great object of Roman ambition, which was indeed the only honor in his brilliant career that he had not yet enjoyed.

Young Hortensius, whose profligate character gave great uneasiness to his father, came to Laodicea, and conducted himself there disgracefully. For the father's sake, Cicero invited him to dinner, but beyond this showed him no attention, as he knew how much Hortensius was displeased with his conduct. At this very moment the great advocate was dying. Cicero heard the news just as he was on the point of embarking to return home, and alluded to it in a letter to Atticus in these words:—"I am sure you grieve for Hortensius; I am distracted, for I had resolved to live on very intimate terms with him."

In the mean time the *supplicatio*, or thanksgiving in honor of Cicero's successes against the enemy, upon which he had set his heart, and which, as we have seen, had actually been decreed by the Senate, was postponed owing to a quarrel between Curio and the consuls. They prevented him from bringing measures before the people, and in revenge—although he professed all the while the greatest friendship and respect for Cicero—he interposed his veto and would not allow the thanksgiving to take place.

The matter ended in a compromise, and the consuls agreed that the *supplicatio* should be put off until the following year.

Cicero was counting the days which yet remained before he could be released from his government. He went to Tarsus on the thirteenth of June, and collected a military force there, to be ready to assist Bibulus, who, as proconsul of Syria, had to repel the attacks of the Parthians, and was afraid he might be hard pressed. He was preparing what we may call his financial statement, or accounts of the moneys received and spent during his year of office, two copies of which he was by the Julian law required to deposit in two separate towns of his province, rendering a third to the Senate at Rome. It was the special duty of the quæstor to see that these were correct, for he was the provincial chancellor of the exchequer. Volusius had gone, and Cælius Calvus, his successor, had only just arrived. It devolved therefore upon Mescinius to attend to the business. Owing to the frugal manner in which he had carried on the administration, Cicero had a surplus beyond the sum voted by the Senate for his expenses.<sup>1</sup> He invested 2,200,000 sesterces (about 19,500*l.*), part of this surplus, in *cistophori*, an Asiatic gold coin, and afterwards lent the whole sum to Pompey, who seems

<sup>1</sup> Drumann says (*Gesch. Roms.* VI. 144) that he received his share of the booty taken in the Amanus campaign, and he quotes as his authority *Ad Att.* V. 20, *Ad Div.* II. 17. But I infer the direct contrary from those passages. Cicero says, *Ad Att.* V. 20, *Militibus quoque, equis exceptis, reliquam prædam concessimus. Mancipia venibant.* And *Ad Div.* II. 17, *De prædâ meâ, præter quæstores urbanos, id est, populum Romanum, teruncium nec attigit nec tactus est quisquam. . . . Omnis enim pecunia ita tractatur, ut præda, a prefectis ; quæ autem mihi attributa est, a quæstore curatur.* This shows that Cicero did not pocket any portion of the spoil.

never to have repaid him. There is some doubt as to what was the amount of the money he deposited in the Treasury to the credit of the State, but none at all that Middleton is absurdly wrong in saying that it was above eight hundred thousand pounds! De Quincey calls this an "extravagant, almost maniacal assertion," and regards it as fatal evidence against his trustworthiness as a biographer. "The man," he says, "who *could* believe that a sum not far from a million sterling had arisen in the course of twelve months from a province sown chiefly with paving-stones, as a little bagatelle of office, a *pot de vin*, mere customary fees payable to the discretionary appropriation of one who held the most fleeting relation with the province, is not entitled to an opinion upon any question of doubtful tenor." The truth is, that the copies differ as to the figures, but I believe none support the mistake of Middleton. Whatever the amount was, his *suite* regarded it, most probably according to precedent, as their perquisite, and grumbled at Cicero for paying it into the Treasury, after deducting a sum sufficient for a year's expenditure of his quæstor Cælius.<sup>1</sup>

After some hesitation he appointed this Cælius deputy-governor of the province until a proconsul was sent out from Rome. Mentioning this to Atticus, he said jokingly, "You are under the necessity of approving my determination, for it cannot be changed." But in the next letter he showed that he was by no means satisfied with his choice, although he could not help it. He said, "I have handed over the province to Cælius—'a mere youth,' you will

<sup>1</sup> *Ad Att.* VII. 1.

say, 'and perhaps silly, wanting in steadiness and self-control.' I agree, but it could not be otherwise."<sup>1</sup> It is to Cicero's credit that he had determined, if a Parthian war broke out or seemed imminent, either to leave his brother in the command, as the most competent person he could find, or stay himself beyond the time limited by his commission, and thus stretch the authority committed to him by the Senate rather than leave the province in peril; but happily the enemy retired from the frontier, and he was able to get away on the day he originally intended.

His year of office ended on the thirty-first of July, and on the third of August we find him at Sida, a port on the coast of Pamphylia, on the point of embarking for Italy. But before we follow him on his voyage, let us cast a rapid glance at the events that had happened in the interval of his absence, and explain how it came about that when he arrived at Rome he found himself, as he expressed it, in the midst of the flames of civil discord.<sup>2</sup>

<sup>1</sup> It is curious to contrast this with what Cicero wrote to Cælius himself a short time before, when he said that he could not have desired a better quæstor — mihi quæstor optatior te obtingere nemo potuit. — *Ad Div.* II. 19.

<sup>2</sup> Incidi in ipsam flammam civilis discordiæ. — *Ad Div.* XVI. 11.

## CHAPTER XVIII.

## CIVIL WAR.

ÆT. 57-58. B. C. 50-49.

THE death in childbed of Julia, who was Cæsar's daughter and Pompey's wife, followed by the death of the son to whom she had given birth, completely rent the tie between the two rivals for power. Niebuhr says, "Cæsar's affection as a father was so great that he would have brooked anything if his daughter had remained alive;" but this we may be allowed to doubt. Two years afterwards Pompey allied himself to the noble family of the Metelli by marrying the daughter of Cæcilius Metellus Pius, whom he made his colleague in the consulship, after enjoying that high dignity for six months alone. There is no doubt that by his third consulship he strengthened his position and recovered lost ground. His measures were energetic, and his influence was great. When a dictator was talked of to put a stop to the anarchy which prevented the election of the ordinary magistrates of the Republic, men instinctively turned to him. He was still proconsul of Spain, and as such the commander of a considerable military force; but he had never once set foot in his province, and its government was carried on by his lieutenants Petreius and Afranius.

During all this time Cæsar was absent from Rome. It is a striking proof of the self-reliant character of the man, that for ten long years he kept away from the scene where the great game of ambition was to be played out, and left the stage apparently undisturbed to his rival. But he took care that in the mean time he should not be forgotten. The fame of Wellington's victories in the Peninsula was not more present to the minds of his countrymen in England than the fame of Cæsar's victories in Gaul and Britain was present to the minds of his fellow-citizens at Rome. He kept up also constant relations with the capital, and had a numerous and active party there devoted to his interests. I do not think we have evidence that he had formed any plan to subvert the constitution, or indeed any plan at all, farther than this, that he was determined, that, if there was to be a master of the Republic, he, and not Pompey, should be the man. When he wintered at Ravenna, the nearest point at which he could by law approach Rome while invested with his military command, his headquarters were the resort of the disaffected, who represented themselves as the victims of aristocratic oppression. Munatius Plancus Bursa, after his condemnation for seditious violence, found an asylum there, and was ostentatiously supplied with money by Cæsar. The discontented at Rome looked to him as their protector, and the populace remembered his largesses and his shows. While the Senate was powerless, and the magistrates could do nothing but mutually paralyze each other, he was filling the world with the glory of his exploits, and securing the enthusiastic devotion of his legions.

Cicero himself had spoken and voted for the prolongation of his command for another period of five years, and it was during this time that the state of Rome became such that a dictatorship of some kind was almost inevitable. When tribunes were preventing the comitia for electing consuls from being held, and consuls were preventing tribunes from bringing measures before the people, — when the resolutions of the Senate were rendered impotent by *vetos*, and the executive was carried on by the provisional expedient of an interregnum, — it was plain that some strong arm was required to restore order, and enable the machinery of government to play. It is, however, one question whether the exigency of the crisis required a change in the constitution, and another whether a subject of the state was justified in overthrowing it. I do not believe that Cæsar deliberately intended to do this, but he was resolved at all hazards not to allow Pompey to be master of the situation; and it was the obstinacy with which each of these two men refused to give way to the other that led to the fatal rupture.

The extended period of his proconsular government would expire B. C. 50. In the previous year M. Claudius Marcellus was consul, and he was a determined opponent of the Julian party. In May he brought forward a motion in the Senate for the recall of Cæsar, and a resolution to that effect was passed, which, however, was not carried into execution owing to the interference of the tribunes. Further, to show his dislike in the most contemptuous way, he caused an inhabitant of Como — a colony which Cæsar had founded in Cisalpine Gaul — to

be flogged at Rome, although, as having filled a magisterial office in the town, he was entitled to the rights of a Roman citizen ; and we know, from the memorable protest of St. Paul, that it was not "lawful to scourge a man that was a Roman." But Marcellus wished by this insult to show that he did not recognize any legal authority in the proconsul of Gaul to found a colony and confer the civic franchise. He persisted in his endeavors to get him recalled from his province, but at the end of September the Senate resolved that the discussion of the question should be put off until the following year, and that on the first of March the then existing consuls should bring the matter formally before the House. Pompey himself admitted that it was not fair to agitate the question sooner ; and when he was asked what would happen if any of the tribunes then interposed their veto, said that there was no difference whether Cæsar refused to obey the Senate's decree, or got some one to prevent the Senate from making any decree at all. "But," asked another, "what, if he wishes to be consul, and at the same time retain his military command?" To which Pompey replied, "You might as well say, what if my son wishes to strike me with a stick?" By this he meant to imply that such a demand on the part of Cæsar was impossible ; but he forgot, or did not choose to allow, that he himself had set an exact precedent in point, for during his third consulship he was still proconsul of Spain, and as such had the command of a considerable army. And Cæsar was determined not to place himself in an inferior position. If Pompey laid aside his military command,

he was ready to do the same, or, if he were elected consul, he seems to have been willing to yield the point; but he was not willing to imperil himself by going to Rome to canvass for the consulship as a private individual, and run the risk of impeachment, with which his enemies would be sure to attack him on his arrival. He therefore for the present resolved to retain his command; and he well knew that the master of the legions which had conquered Gaul might laugh at any attempt to deprive him of it by force.

So matters stood at the end of the year. The two new consuls were Caius Claudius Marcellus and L. Æmilius Paullus. Cæsar bought Paullus by an enormous bribe. Curio, the tribune whom Cicero had so flattered in hopes of securing him on the side of the Senate, and whom Niebuhr calls "a man of great talent, but of the most decided profligacy and immorality," was overwhelmed with debts, which amounted to nearly half a million sterling. These debts Cæsar paid off, and Curio became his devoted partisan.

The Senate decreed that two legions should be sent to the East for the Parthian war, and that one of these should be taken from the army of Cæsar and the other from the army of Pompey. Pompey had previously lent a legion to Cæsar, which fought for some time under his standard, and was looked upon by him as part of his own troops. In complying with the Senate's order, Pompey adroitly gave up that legion which, though nominally his, was in fact Cæsar's, so that Cæsar had to surrender two legions instead of one. And these were not sent to

the East after all, but retained by the consul Marcellus in Italy, at Capua, ready for Pompey in case it became necessary to draw the sword.

Curio now proposed that both Pompey and Cæsar should lay down their military commands, disband their armies, and appear in Rome in the character of private citizens. "This," says Niebuhr, "was the fairest proposal that could have been made; but Pompey's party replied that his *imperium* had yet to last for a longer period than that of Cæsar. It was a misfortune for Rome that Pompey, who was then severely ill (at Naples), did not die as his friends apprehended. He was so popular, or perhaps so much feared, that all Italy offered up prayers for his recovery.<sup>1</sup> Pompey assumed the appearance of being ready to yield, but lamented the manner in which he was treated by Curio. When Curio put the question to the vote as to whether both were to lay down their *imperium*, an immense majority of three hundred and seventy senators answered in the affirmative, while only twenty-two voted against it. But the consul Marcellus rejected the decree: the State was in perfect anarchy and dissolution. Marcellus was a champion for the authority of the Senate, and in this instance he nevertheless refused to acknowledge that authority."

But by thus acting, Marcellus sealed the fate of the Senate. It was their last chance, and in his folly he deliberately threw it away. If they had not become contemptible in their weakness, they would

<sup>1</sup> The general sympathy deceived Pompey as to his real position. When he was asked what he would do if Cæsar marched against him, he answered, "I have only to stamp on the ground, and soldiers will rise."

have compelled the consul to allow their decree to be executed, and whatever might have been the ultimate issue, there seems no reason to doubt that civil *war* would have been averted. A false report was spread that Cæsar was marching upon Rome, and the Senate in haste and terror declared him a public enemy. Marcellus, the consul, put a sword into Pompey's hand, telling him to defend the Republic, and made over to him the command of the two legions at Capua and the rest of the military forces in Italy. In vain Curio protested against these measures, and at last, under the pretext that his life was in danger, he quitted Rome at the end of December, and fled to Cæsar at Ravenna.

But let us return to Cicero, whom we left at the port of Sida, embarking at the beginning of August on board a vessel for his homeward voyage.

He first stopped at Rhodes, which he wished to show to his son and nephew, who accompanied him, and there the news reached him that Hortensius was dead. In his dialogue *de Claris Oratoribus*, he mentions the circumstance, and pays an affectionate tribute to the memory of this great advocate, of whom he generously said that he had lost in him, not, as most people thought, an adversary and rival, but a partner and associate in a glorious profession. From Rhodes he went to Ephesus, and thence proceeded to Athens, which he reached on the fourteenth of October, after a tedious and uncomfortable voyage. Here he found letters awaiting him from his wife, and Atticus, and many other friends. He immediately wrote to Terentia, and his letter is short but affectionate. He calls her his "sweetest and dear-

est," and begs her to come and meet him as far as the state of her health will allow. Atticus had written while suffering under an attack of fever, and Cicero in replying to his letter said, that, when he opened it, he was at once struck by the confused character of the writing, so different from the clear and neat handwriting of his friend. He confessed the embarrassment he felt at having to make up his mind as to which of the two contending leaders he would join, from both of whom he had received letters couched in the most flattering terms. If, however, the sword were appealed to, he said it would be better to be vanquished with Pompey than to vanquish with Cæsar. But upon the question of whether Cæsar should not be allowed to become a candidate for the consulship in his absence and forced to disband his army, which might be under discussion when he arrived in Rome, he felt a difficulty, and he imagined himself called upon to deliver his opinion in the Senate.

"‘Speak, Marc Tully.’—‘Wait, I pray, until I consult Atticus.’ ‘Let us have no shuffling—speak.’ If I declare against Cæsar, what becomes of those pledges I have given him? for at his request I aided him in getting permission to be a candidate though absent. At his request do I say? Aye! and at the request of our friend Pompey, too, in that divine third consulship of his. Shall I now take a different line from him? I respect the opinion not only of Pompey, but, as Homer says, ‘the men and women of Troy.’”

He thought therefore that it would be a good expedient to claim the honor of a triumph, as in that case he must, according to law, remain outside the walls of Rome, and would thus escape the dilemma in which he would find himself the moment he took

his seat in the Senate. But he added, with a comic consciousness of what would happen, "They will, however, take pretty good care to elicit my opinion." As to the reason here given for demanding a triumph, it seems to have been nothing more than an excuse to conceal the eagerness with which he sought it, and of which he felt half ashamed. "Many writers," says De Quincey, "have amused themselves with the idle vanity of Cicero in standing upon a claim so windy under circumstances so awful. But on the one hand it should be remembered how eloquent a monument it was of civil grandeur, for a *novus homo* to have established his own amongst the few triumphal families of Rome, and on the other hand he could have effected nothing by his presence in the Senate."

On his way from Athens to Italy he was obliged to leave his favorite freedman Tiro at Patræ, a port of Achaia, as he was too ill to proceed on the voyage. Several letters to him from Cicero are extant, and nothing can exceed the affectionate kindness of their tone. No father ever displayed more solicitude for the recovery of a beloved son than he did for the recovery of his freedman. Tiro seems to have been a very intelligent man, and possessed of considerable literary attainments. In one of his letters, Cicero tells him that without him he can write nothing; and Quintus, in another addressed to him, quotes in the original a line of Euripides, and says, "I don't know what value you attach to the poet's opinions, but I think that each of his verses is like a deposition upon oath." It is uncertain at what period he received his freedom, as it is impossible to fix the date

of the letter which Quintus wrote to his brother congratulating him on the act of manumission, the news of which he said had made him leap for joy. Tiro assumed the names of Marcus Tullius, according to the usual custom in such cases, and he published a collection of Cicero's letters after the death of his friend and benefactor. He also wrote his *Life* in several books, the fourth of which is quoted by Asconius, and he gave to the world an edition of his speeches.<sup>1</sup>

Cicero sailed from Patræ on the second of November, but was detained by stormy weather and contrary winds at Actium and Coreyra, so that he did not make the coast of Italy until the twenty-fourth of that month, on which day he reached Hydruntum (*Otranto*), and proceeded next day to Brundisium. He entered the harbor at the same moment as his wife entered the town by one of the gates, through which the Appian Way passed, so that they both met in the Forum.

From Brundisium he proceeded to Herculaneum, which he reached on the tenth of December, and then went to spend a day or two at the house of his friend Pontius Aquila, at Tribulanum. At Lavernum he met Pompey, and they went together to Formiæ, and had a long conversation on the state of public affairs. Pompey thought that war was inevitable, and, so far as Cicero could judge, did not even wish for peace. For he said, that, if Cæsar were consul, even although he dismissed his army,

<sup>1</sup> Two treatises have been written by modern scholars on the subject of this Tiro. His relations with Cicero became the subject of an infamous calumny, which it would be an insult to the memory of both to notice. — See Plin. *Ep.* VII. 4.

there would be a revolution. But he professed great contempt for him as an opponent in the field, and was full of confidence in the force he could bring against him. He had in his hand the copy of a mob speech which Marc Antony, the newly elected tribune, had just made, full of abuse of Pompey, and threats of an appeal to arms. Turning to Cicero, he asked, "What do you think Cæsar himself would do if he were master of the Republic, when a weak and needy fellow like his quæstor dares to say such things?" So little indeed did Pompey understand the real position of his rival, that, thinking he could easily crush him, he did not like the idea of peace. He was soon terribly undeceived.

From Formiæ Cicero travelled to Terracina, where he arrived at the end of December, intending to reach Rome on his birthday, the third of January.

His own opinion at this time was, that the best solution of the difficulty would be to concede what Cæsar demanded, that is, allow him to stand for the consulship and yet retain his military command. And events proved that this would have been the wisest policy. Cæsar might indeed in that case have become too powerful for the citizen of a free state, and virtually, if not in name, dictator. But the shock of war would have been avoided, and the constitution with certain modifications might have been preserved. If the sword was to decide the strife and he was victorious, he would then have the rights of a conqueror, and might remodel the government as he pleased. Nor was there much reason to doubt, that, if Pompey were successful in the conflict, Rome must receive him as her master instead of Cæsar, and the

only question would be whether he was likely to use his victory with more moderation than Cæsar. As Cicero said with prophetic truth, "Victory will produce many evils; and the result will certainly be a despotism (*certe tyrannus existet*)."

Looking at the state of the times, I see no reason to believe that Pompey, if successful, would have stopped short of a revolution; so that in either event the doom of the constitution was sealed. Whether it was worth preserving is another question, upon which opinions may differ; but at all events Cicero thought so, and with that view he was right in considering it the most politic course to yield to Cæsar on the point of the consulship. For, clothed with that venerable authority, and acting not as conqueror but as first minister of the Republic, he would hardly have ventured, perhaps not even have wished, to change the organic frame of the constitution. But although Cicero was in favor of concession, he had made up his mind to stand by Pompey, and support him, whatever he determined.

His letters to Atticus, written on his journey from Brundisium, give a lively picture of the anxiety of his mind. He said, —

"Since, however, things have come to such a pass, I will not ask, as you write, quoting the words of Homer, 'Where is the ship of the Atridæ?' That shall be my ship where Pompey holds the helm. As to what will happen when, as you say, I am called upon, 'Speak, Marc Tully!' I will answer shortly, 'I agree with Cnæus Pompey.' Privately, however, I will urge him to peaceful counsels. For my opinion is that we run the greatest hazard. You who are in the city know more than I do. However, I see this plainly, that we have to do with a man full of audacity and thoroughly prepared; that on his side are all who have been con-

victed of crimes or branded with infamy—and all who deserve conviction and infamy—nearly all the youth of Rome—all the low rabble of the city—the powerful tribunes, with the addition of Quintus Cassius—all who are oppressed with debt, who I understand are more numerous than I had imagined. All that his cause wants is a (just) cause : it abounds in everything else.”

It is characteristic of the man that in the letter full of these gloomy forebodings Cicero is tempted to discuss a point of literary criticism. He had in writing to Atticus used the expression *in Piræa*, when he mentioned his arrival at Athens. Atticus found fault with this, and said it ought to be *Piræum*, without the preposition “*in*.” Cicero admitted that *Piræum* was more correct than *Piræa*, but defended himself for using the preposition on the ground that *Piræus* was not a town but a place ; and he quoted Terence as an authority in his favor, whose plays, he said, on account of the elegance of their Latinity, were ascribed to Lælius. In another letter he made unconsciously a good hexameter verse — *flavit ab Epiro lenissimus Onchesmites* — which he said, jokingly, Atticus might palm off, if he liked, as his own upon the juveniles. At this critical juncture we find that he was still under pecuniary obligations to Cæsar, from which it appears that the debt which he was anxious to pay off when he left Italy to assume the government of Cilicia had not yet been discharged. He felt how awkward, or, to use his own expression, anomalous it was to be the debtor of a political opponent ; and yet it was very inconvenient to him to pay the money just then, as he wanted it for the expenses of his triumph, upon which he was more than ever bent, as he had just heard that the

Senate had decreed a public thanksgiving in honor of Bibulus, whose military exploits he held in great contempt. He told Atticus that he would borrow enough from Cœlius to discharge the debt, for it would not do to remain under the obligation; and he put the imaginary case of his making a grand speech against Cæsar in the Senate, and then finding somebody whispering in his ear, as he went out of the house, "Pray take care to pay your debt."

In another letter, after reviewing, in a spirit of bitterness, the events of the last few years, which had led to the present difficulty, he said, "'What,' you ask me, 'do you propose to do?'" The same as different kinds of cattle, which, when driven away, keep together in their own herds. As the ox follows the herd, so will I follow honest men, or at all events who are reputed such, even if they rush on to destruction." In one respect, however, he mistook the character of Cæsar, and the event completely falsified his prediction; for he said, "All know perfectly well that if the good cause is beaten, he, that is Cæsar, will, in putting to death the leaders of the aristocracy, not be more merciful than Cinna, nor in plundering the wealthy more moderate than Sylla. I am giving you a long diatribe on politics, and would make it longer, only my lamp is going out. The upshot is this: 'Speak, Marc Tully.' 'I agree with Cnæus Pompey,—that is,' he added, half in jest, 'with Titus Pomponius.'" In another passage he said it was uncertain whether Cæsar would play the part of Phalaris or Pisistratus. In the last letter he wrote before reaching Rome he ended it with the words, "I am tormented night and day;" and this in fact

is the best description of his state of mind during the whole of the conflict that might now be said to have actually begun.

The consuls of the new year, B. c. 49, were another of the family of Marcelli, Caius Claudius Marcellus, a brother of Marcus who was consul the year but one previously, and L. Cornelius Lentulus. The first business they had to bring before the Senate was the important question whether a letter should be read which Curio had just brought to Rome from Cæsar, and which he had placed in the hands of the consuls. After a warm debate, the tribunes who insisted that it should be read carried their point, and the Senate listened to the terms that the great soldier proposed. They were briefly these: he offered to lay down his military command, if Pompey would do the same; but added the ominous threat, that, if this condition were not complied with, he would not be wanting to himself and his country. An animated discussion followed. Lentulus the consul advocated bold measures, and said that in that case the State might rely upon him; but if they truckled to Cæsar, as they had done before, he would take care of himself and disregard the authority of the Senate! Strange language this from the first magistrate of the Republic. Metellus Scipio, Pompey's father-in-law, spoke to the same effect, and declared that Pompey would defend the Republic if the Senate would follow him; but that if they hesitated now, and did not show firmness, they would implore his aid in vain when they wanted it. He concluded by proposing that Cæsar should be ordered to disband his army by a certain day, and if

he refused to comply, that he should be declared an enemy of the Republic. Marcus Marcellus had the sense to see that if they set Cæsar at defiance they ought to be prepared beforehand; and he advised the Senate to come to no decision until they had raised an army by a levy *en masse* in Italy. The newly elected tribunes, Marc Antony and Q. Cassius, interposed their veto to prevent Scipio's motion from being carried; and the question was adjourned. The Senate met again outside the walls, and Pompey there joined them. There was another violent debate, and in the result a resolution was passed equivalent to what we should call a proclamation of martial law. The consuls, prætors, and tribunes of the people were to see that the Republic suffered no harm. The tribunes, Antony and Cassius, immediately quitted Rome and fled to Cæsar. This happened on the sixth of January.

Cicero calls Cæsar's letter "threatening and bitter." He himself, in his *Bellum Civile*, describes it as a "very gentle demand." There can be no doubt that the demand was illegal and unconstitutional. Pompey held his province and his army under the authority of law, and Cæsar had no right to dictate the terms on which alone he would obey the order of the Senate. In doing so he was as much guilty of an act of usurpation as Napoleon Bonaparte when he returned from Egypt, and forcibly dissolved the Council of Five Hundred in the Orangery of St. Cloud.

Such was the state of affairs when Cicero reached the gates of Rome on the fourth of January. He was met outside the walls with every mark of honor

and respect. He would not enter the city then, for even at that awful moment his heart was set upon a triumph; and the Senate was ready to grant it, but Lentulus the consul put it off on the plea that he would bring forward the question when he had dispatched the urgent business he had on hand. Italy was divided into districts, and the coast of Campania was assigned to Cicero, that he might superintend the levies there, and see to its safety. The provinces were allotted as in ordinary times, and L. Domitius Ahenobarbus was declared proconsul of Gaul. Cæsar no longer hesitated. He addressed his soldiers in a spirited speech, and called upon them to protect their general against the designs of his enemies. They answered with a loud acclaiming shout that they were ready to follow him.<sup>1</sup>

Between Ravenna and Rimini, the ancient Ariminum, there are several small rivers, or rather streams, each of which has been claimed as the famous Rubicon. This was the boundary that separated, at that extremity, the province of Cisalpine Gaul from Italy; and no commander might cross it in arms without being guilty of treason to the Republic. The story, as told by Suetonius, is that Cæsar sent on the thirteenth legion, which was all the force he had at Ravenna, without declaring the object of their march; and then, the better to mask his purpose, himself attended a public entertainment, inspected the plan of a school of gladiators which he

<sup>1</sup> According to Suetonius (*Cæsar*, 30), Cæsar quoted the lines of Euripides (*Phœnissæ*, 534, 535):—

If I must be unjust, 'tis best to be so  
Playing for empire: just in all things else.

had intended to build, and in the evening appeared as usual at a crowded banquet. But after sunset he quietly went away in a carriage drawn by mules, and attended by a small escort, choosing the most private road he could find. He lost his way, and wandered about in the darkness on foot, until at day-break he met with a guide, and at last came up with his soldiers, who were standing on the left or northern bank of the Rubicon. Here he stopped, and, awe-struck for the moment at the magnitude of the step he was about to take, he turned to his followers and said, "We can even yet draw back, but if we cross that little bridge, everything must be decided by the sword." A portent reassured him. An apparition of gigantic size and superhuman beauty was suddenly seen seated not far distant from him, and playing on a flute, from which issued streams of ærial melody. Some shepherds who were there, and the pickets in advance, approached to listen to the music. Amongst them were some trumpeters, from one of whom the phantom snatched a bugle, and, blowing a loud blast, plunged into the river, which it crossed and disappeared. Then Cæsar exclaimed, "Let us go where the portents of heaven and the injustice of the enemy summon us. The die is cast." He pressed forward to the opposite bank, and stood on the sacred soil of Italy a traitor and a rebel.<sup>1</sup>

<sup>1</sup> A curious anecdote is told by Suetonius relative to what happened when Cæsar had crossed the river. He harangued his troops, and declared that, sooner than not satisfy the claims of those who stood by him, he would part with the gold ring which as a Roman knight he wore on his left hand. Suiting the action to the word, he drew the ring off his finger, and the rude soldiery, who saw the gesture, but imperfectly heard what he said, were firmly convinced that he had promised to give each of them the rank and estate of a Roman knight.

Ariminum, which was a short distance beyond, and entirely defenceless, was immediately occupied by his troops, and there he paused.

All was consternation at Rome. There was a general rush to leave it; and the Consuls, the Senate, and Pompey set the example. He declared he would hold whoever stayed at Rome his enemy. Favonius tauntingly told him, "Now is the time to stamp on the ground for your legions." So hasty was their flight that no care was taken to remove the money in the public treasury, and thus the sinews of war were abandoned to fall a prey to Cæsar. Lentulus the consul did indeed attempt to carry off some of the money, but was alarmed by a report that the cavalry of Cæsar was at the gates, and hastily decamped without securing the prize. Bitter was the complaint at Rome that the city should be left without magistrates or Senate, and history records no more disgraceful a flight. Pompey talked of the example of Themistocles, who, when Xerxes was marching upon Athens, made the inhabitants quit the city, and crushed the invader afterwards at Salamis. But Cicero contrasted this with the conduct of Pericles in the Peloponnesian War, who brought the population of Attica within the walls, and, victoriously defending them, saved the State; and he quoted the precedent set by their own ancestors, who held the Capitol while the Gauls were masters of the rest of Rome. He was aghast at the audacity of Cæsar; and visions of confiscation and ruin floated across his brain. Was it Hannibal or a Roman general who had crossed the frontier, and made himself master of the towns of Italy? Rather

would he die a thousand times than ever meditate such a crime. Cæsar had, he cried, no longer a pretence for saying that he was acting constitutionally.<sup>1</sup> Everybody was puzzled to know what were Pompey's plans. He had in fact no plan, and never showed himself so weak and irresolute as now, when his only chance lay in energy and decision. Cicero did not venture to stay in the neighborhood of Rome. He slipped away one morning before day-break, to escape, as he says, observation and comment, especially as since his return he was attended in public by lictors with laurelled fasces, which made him conspicuous. He went first to Formiæ, where he had an interview, on the twenty-third of January, with the consul Lentulus, — a man overwhelmed with debt, who had boasted that he would be dictator, and prove another Sylla. Cicero says he found nothing but terror and confusion. He wrote constantly to Atticus, who remained in Rome, and in a pitiable state of perplexity asked his advice as to what he ought to do. His wife and daughter were left behind, and he was anxious whether they ought to come away or stay in the city. But he was comforted on their account by the recollection that his son-in-law Dolabella had joined Cæsar; so that, as was often the case in the Wars of the Roses, the family interest was divided, and he need not fear for their personal safety, — unless indeed Cæsar gave the city up to plunder, which in one of the letters he wrote to them he hinted was possible. He advised them to be guided in their decision whether to go or stay according as other ladies of their own rank

<sup>1</sup> See *Ad Att.* VII. 11, 13.

acted. They soon afterwards joined him at his Formian villa; and the politics of his son-in-law Dolabella exposed him to some suspicion with his own party.

He saw from the first how utterly unequal Pompey was to the crisis, and he described their position as that of men who put to sea in a storm without a rudder. Their whole hope, he said, rested upon a man who was an invalid. Everything was done at hap-hazard, and contrary to his own judgment. "Shall I," he asked, "hesitate and go over to the other side, which has success with it? αἰδέομαι Τρωῶας." The defection of Labienus, one of Cæsar's ablest lieutenants, from the cause of his general, and his junction with Pompey, put him for the time in spirits. It was like Moreau joining the camp of the Allies in 1813. But his whole correspondence at this period shows that he despaired of success on his own side, owing to the inconceivable folly and irresolution of Pompey, and the distracted counsels of the leaders of the party.

According to Cæsar's own account, Pompey wished to open a negotiation with him, and employed for that purpose a young man named Lucius Cæsar (the son of one of his lieutenants) and the prætor Roscius to urge him to agree to an amicable settlement of the quarrel. To these two therefore he delivered his *ultimatum*, and they brought it to Pompey and the consuls, who were at Theanum, on the twenty-fifth of January. It was briefly this:—Let both disband their armies, and Pompey go to his province in Spain; throughout Italy let arms be laid down; and let the Senate and people, in their

free and lawful assembly, assume the government as usual. Fairer terms than these cannot be imagined, if they meant all that they expressed; and at all events it was madness in Pompey and his friends not to close with them. The accounts given by Cicero and Cæsar slightly differ as to the purport of the answer. According to Cicero the terms were accepted, but it was made a condition that Cæsar should withdraw his troops from any towns he had occupied beyond the limits of his province. If he would do this, they would all return to Rome, and leave it to the Senate to adjust the dispute.<sup>1</sup> Cæsar, however, says that it was also made a condition that he should return to Gaul, in which case only Pompey would go to Spain; and he was told that, until they had security that he would fulfil his engagements, the levy of troops would be pressed on. At all events the negotiation led to nothing, and Cæsar at once advanced. His troops rapidly occupied the towns of Arretium, Pisaurum, Fanum, Ancona, and other places; and overran the Picenum (a territory corresponding to the modern Marches) and part of the Abruzzi. Cicero in the mean time had proceeded to Capua, where there were some fears lest a number of gladiators belonging to Cæsar might disturb order; but Pompey judiciously billeted them in pairs amongst the householders, and they were kept quiet.

<sup>1</sup> Cicero complained of the folly of Pompey in intrusting the drawing up of this important despatch, on which hinged the question of peace or war, and which was sure to be much criticized, to an incompetent person named Sestius, instead of writing it himself—*cum scriptor luculentus esset*. Accordingly he says he never read anything more Sestius-like.—*Ad Att.* VII. 17.

At Capua a council of war was held, at which Cicero and the consuls were present. All, with one exception, Favonius, were anxious that Cæsar should accept their terms, which in fact were his own, with the addition of the clause about withdrawing his garrisons. Even Cato agreed with the rest; and, to use Cicero's expression, he preferred servitude to war. He himself was a strong advocate for conciliation, declaring that he preferred an unjust peace to the most just war. His voice, like that of Falkland in our own Civil War, was continually crying "Peace! Peace!" But he spoke to men who were blinded by passion and deaf to reason;<sup>1</sup> and as long as there was any chance of averting war, he took care not to do any act which might compromise him with Cæsar. Trebatius wrote to him and begged him to return to Rome, telling him that he did so at Cæsar's request, and that nothing would gratify Cæsar more. To this Cicero, who was then at his Formian villa, replied that he was merely staying at his country-seat, and not engaged in levying soldiers, or indeed in any public business at all. In mentioning this to Atticus he added, "But if war breaks out I will not be wanting to my duty or my honor, when I have placed the boys (his son and nephew) in safety in Greece."

Leaving his family at the villa, he returned to Capua in a violent storm of rain. He there wrote to Atticus, and expressed himself in terms of the warmest indignation at the conduct of Cæsar in continuing hostile operations while negotiations were pending. He called him an abandoned robber; but

<sup>1</sup> Unicè cavente Cicerone concordiæ publicæ. — *Vell. Pat.* II. 48.

at the same time he bitterly complained of the inertness of Pompey, who seemed quite prostrated, and was allowing them all to drift into war without chart or compass. He still cherished the hope that Cæsar would accede to the terms they proposed, and intended in that case to go with Pompey into Spain. He was annoyed at the conduct of Dionysius, the tutor of the two young Ciceros, for he expected that he would have followed them, but instead of that he remained in Rome. But, said Cicero, it was useless to expect much from a Greek.<sup>1</sup> He seems to have wished to borrow some money from him, for he tells Atticus that Dionysius did at last come to him when he was at his Formian villa, and made excuses that he did not know where his cash was, and could not get others to pay their debts. He also intimated his desire not to continue in Cicero's family, who thereupon dismissed him — sorry, he says, to lose him as a tutor, but glad to part with him on account of his ingratitude. It is curious to see how he allowed his feelings to overpower his judgment and betray him into inconsistency. He had always formerly spoken of Dionysius in high terms, and praised him as a tutor. He now called him a chatterer and a scamp, and declared that he was by no means a good instructor, although he admitted that he possessed a capital memory. In fact, he was excessively angry with him, and said that when he asked him to come

<sup>1</sup> In one respect these old Romans had not much to pride themselves upon by way of contrast. They were perpetually getting into debt. In the same letter in which Cicero complains of Dionysius he mentions that Quintus was annoyed at being asked by Atticus to discharge a debt he owed him, for just then it was impossible to borrow or raise the money, and he had none with him.

to him he sent him a flat and rude refusal.<sup>1</sup> Cicero then undertook the education of his son and nephew himself. He left Capua on the seventh of February, and went to Cales (the modern Calvi), a town in Campania, through which the Via Latina passed, from which place he wrote to Atticus, giving a deplorable account of Pompey's weakness and the melancholy state of affairs. The recruiting officers were so frightened at the idea of Cæsar's approach that they did not dare to show their faces, and the levy was in fact stopped. Pompey ordered the consuls to go to Rome, and take the money out of the Treasury. It is not easy to see what authority he had to impose commands on these high magistrates, except that he was looked upon as a kind of dictator; but at all events Lentulus wrote back a sarcastic answer, and told *him* to go first into the Picenum. He knew that this was more easily said than done, for Cæsar was already there. Cicero was distracted. He predicted that Cæsar would soon be in Apulia, and Pompey would take to shipboard; and so it happened. In the mean time he went back to his Formian villa, and there received letters from Rome, which gave rather a cheering account of the prospects of his party. But he was not to be deceived. He said, "I fear they are all dreams;" although Lepidus, Torquatus, and Cassius, who were with him, took a less gloomy view. The idea that Pompey was flying, and Cæsar in pursuit, was intolerable to him. "Why don't we," he cried, in the agony of despair, "place our bodies before him and save his life? But what

<sup>1</sup> He must not be confounded with a slave of Cicero named Dionysius, who a year or two afterwards pilfered some books from his library, and fled from Italy into Greece.

can we do? We are vanquished, crushed, captured." Even now he clung to Pompey with a fidelity which is only explicable on the theory that he thoroughly believed his cause was just; and he still loved the man, notwithstanding the painful conviction that was forced upon him that he was imbecile as a leader. At this very time he declared that he would willingly die for him;<sup>1</sup> and he repeated this in another letter, in which, notwithstanding, he said that no baser act was ever done by a statesman than that by Pompey in abandoning Rome. He was, however, not sorry to hear that Cæsar, so far from being displeased, was gratified at his conduct, — "an impression," he said, "which I gladly allow him to entertain, provided that I keep my honor untarnished as heretofore."

It does not fall within the scope of this work to describe the events of the war farther than as they affected the fortunes of Cicero, and I will therefore give only a rapid summary of them. Domitius, the newly appointed proconsul of Gaul, had thrown himself into Corfinium, in the territory now called the Abruzzi, and held it with a considerable force of hastily collected levies. We can well imagine that Cæsar was not sorry to have an opportunity of punishing the presumption of the man who ventured to assume a government which he himself had not vacated. He marched upon the town and invested it. The soldiers who were in the neighborhood deserted to his standard and swelled the ranks of his army. Domitius sent pressing letters to Pompey for assistance; but received from him the cold-hearted reply

<sup>1</sup> Pro quo emori cum pie possum, tum lubenter. — *Ad Att.* VII. 23. *ib.* VIII. 2.

that it was not by his advice or wish that Corfinium had been occupied, and that the best thing Domitius could do was to join him with his whole force. One reason he assigned for this was, that he could not trust his own troops, so as to hazard everything on the chances of a battle, and Cæsar's army was larger than his own; and in fairness we must remember that the only regular forces which Pompey had were the two legions detached from Cæsar's army, and well might he distrust them. It was like employing the veterans of Marengo and Austerlitz to oppose the march of Napoleon from Frejus to Paris in 1815. The result was that Domitius tried privately to escape, but was stopped by his soldiers, and they surrendered the place to Cæsar. This was fatal to Pompey, and virtually decided the campaign in Italy. More than thirty cohorts that garrisoned the place fell into the hands of the conqueror, who gained still more by the generous use he made of his success. A great number of senators and knights, and magistrates of the Italian towns, had taken refuge in Corfinium, and these were his prisoners; but he treated them kindly, protected them from insult, and allowed them to depart unharmed, declaring that he had marched out of Cisalpine Gaul to defend himself against his enemies, to restore the tribunes to their authority, and to give freedom to the Roman people who were oppressed by factions.

Pompey now hurried to Brundisium, the port from which he could most easily escape, and Cæsar followed close upon him. Cicero called him a prodigy of vigilance and rapidity, and this was one great cause of his success. He fairly confounded his ad-

versaries by the lightning celerity of his movements. Before this, Pompey had written to Cicero to come to Luceria, a town in Apulia, telling him he could be nowhere more safe. Cicero wrote to Atticus, and informed him that he had sent back the spirited answer that he did not care about his safety, but that he would go there if it was in the interest of Pompey or the Republic. We possess, however, the letter which he wrote to Pompey, and we do not find these words there. Atticus advised him not to abandon the seaboard of Campania, if he wished to secure supplies for his troops. Cicero saw plainly that the intention was flight — disgraceful and calamitous flight, as he did not scruple to call it. His mind was in a painful state of perplexity. At one moment he was resolved to sacrifice everything for Pompey, whom he thought it base to desert in his adversity; at another he wavered, and contemplated the idea of going back to Rome. But a strange obstacle deterred him. Even now he had not given up his hopes of a triumph, and he was still attended by his lictors, whom however he calls, as he well might, most troublesome companions; and he describes the *fasces* as laurel fetters. He could not enter the city with them unless a triumph was accorded to him; and he could not bear to dismiss them, and thus abandon his long-cherished dream, idle and silly as it was at such a moment. If it were not the duty of a biographer to state the truth, and in the portrait he draws endeavor to give a faithful copy of the original, it would be far more agreeable not to unveil the weakness which Cicero displayed in this great emergency of his life. The one thing lacking in his character

was decision. If there had been more of iron in his nature he would have been not only, as he was, the first orator, but the first statesman of his time. At this crisis no one saw more clearly than he did that there were only two courses to pursue. Either Cæsar's terms must be complied with, — and he was ready to make the concession to avoid a civil war, — or the most energetic resistance must be offered, and every sinew strained to meet him on equal terms in the field of battle. But never was a great cause so miserably lost as now. There is only one word to express our opinion, aye, and Cicero's opinion, of Pompey's conduct. It was simply contemptible. But thus much must be said for Cicero. He believed the cause to be right, and he therefore clung to it. If he had consulted only his own ease and safety, he would not have hesitated a moment between the camp of Cæsar and the camp of Pompey. He foresaw that victory would be chained to the eagles of the one, and forsake the standard of the other; but he deliberately chose the losing side, because he believed it to be the side of his country. We may think that he struggled for an object which was not worth preserving, but we cannot impugn his patriotism or the purity of his motives. If he had been a less conscientious, he would have been a bolder, or at all events a more consistent man.

He set out to join Pompey at Luceria, but, hearing that Cæsar was in the neighborhood, turned back and retired to his Formian villa, where he stayed some time, uncertain where to go or what to do. He had a vessel ready for him at Caieta on the west coast, and another at Brundisium on the east, in

case he wished to embark at either port. In the mean time he kept up an active correspondence with Atticus, but it would only weary the reader to pursue it in detail. It reflected all the hopes and fears and passing rumors of the moment, and it will be sufficient to notice a few points of interest. By far the most important service conferred by these letters on history is the insight we gain into the designs of Pompey, and the estimate we are thereby able to form of his pretensions to patriotism. Cicero distinctly charges him with a longing desire to imitate the tyranny of Sylla. The words, he says, were constantly on his lips, "Sylla could do it; why cannot I?" He says, moreover, that his plan was to expose Rome and Italy to the torments of famine; and declares that he himself was present at a discussion where it was proposed to starve the country into submission by cutting off all the supplies from abroad. He enumerates fifteen naval stations — Alexandria, Colchis, Tyre, Sidon, Aradus, Cyprus, Pamphylia, Lycia, Rhodes, Chios, Byzantium, Lesbos, Smyrna, Miletus, and Coos — where ships were to be collected for the purpose of closing the ports of the corn-producing provinces, and preventing the export of provisions into Italy. Besides this he intended, when he landed there on his return, if victorious, to lay waste the country with fire and sword, and confiscate the property of the rich. He promised to his soldiers that his largess to them should be more bountiful than Cæsar's, and pointed to plunder as the means of fulfilling that promise.<sup>1</sup> This, then, to use the indignant language of De Quincey, was

<sup>1</sup> For proof of these facts, see *Ad Att.* VIII. 11, 16; IX. 7, 9.

“ the horrid retaliation which he meditated upon all Italy, by coming back with barbarous troops to make a wilderness of the opulent land, and upon Rome in particular, by so posting his blockading fleets and his cruisers as to intercept all supplies of corn from Sicily, from the province of Africa, and from Egypt.” Cicero was horror-struck at the thought. “ What!” he cried, in an agony of shame, “ could I, whom some have called the savior — the father of Rome, bear to lead against her the barbarian hordes of Getæ, Armenians and Colchians, and bring destruction upon Italy?” He called to mind the examples of antiquity, — the impious acts of Tarquinius, who brought Porsena and Octavius Mamilius against his country, — of Coriolanus, who invoked the aid of the Volscians, — of Hippias the son of Pisistratus, who fell at Marathon fighting against his fatherland; and he contrasted these with the noble conduct of Themistocles, who preferred to die rather than be a traitor. Sylla, Marius, and Cinna, might perhaps, he said, have had right and law on their side; but what was more cruel, more fatal than their victory? How then was it possible for Cicero to continue to follow the fortunes of a man of whose real character he had just had such a revelation? He confessed that the object of Pompey and of Cæsar was the same — the possession of power — and neither cared for the happiness of his country.<sup>1</sup> He found that the idol of his affections was not merely deficient in all the qualities of a statesman, but had not even military

<sup>1</sup> *Dominatio quæsitâ ab utroque est: non id actum, beata et honesta civitas ut esset . . . sed neutri σκοπὸς est ille, ut nos beati simus: uterque regnare vult. — Ad Att. VIII. 11.*

capacity. The astounding truth was forced upon him that Pompey was no general. He had been victorious formerly in Spain, he had swept the Mediterranean of pirates, he had conquered Mithridates, and upon the fame of these achievements his reputation as a soldier had become colossal. But now he was flying from Cæsar like a frightened hare. He had left Rome to its fate, made no attempt to relieve Corfinium, abandoned Picenum and Campania, and was bent only upon a successful escape by sea from Brundisium. The disenchantment was complete; and Cicero, in the most explicit manner, admits this in his confidential correspondence with Atticus. Take one passage as a sample. He says, —

“ You remind me, with approval, that I once said I would rather be vanquished with Pompey than victorious with the other side. Well, I would rather; but with that Pompey as he then was, or as he seemed to me to be: not with *this*, who flies before he knows whom he is flying from, or whither, — who has betrayed our cause, has abandoned his country, and is now abandoning Italy.”<sup>1</sup>

The question therefore irresistibly occurs, why did he still cling to a man whose success he saw would be fraught with such unspeakable calamity to his country?<sup>2</sup> It is useless to speculate on reasons when we have that which he himself assigns, and thought sufficient. “ I think,” he said, “ that he has deserved so well of me that I dare not incur the crime of ingratitude.”<sup>3</sup> And in another passage: “ I call to mind his kindnesses, I call to mind also

<sup>1</sup> *Ad Att.* VIII. 7.

<sup>2</sup> *Conjunctoque me cum homine magis ad vastandam Italiam quam ad vincendum parato.* — *Ad Att.* VIII. 16.

<sup>3</sup> *Sed ita meruisse illum de me puto, ut ἀχαριστίας crimen subire non audeam.* — *Ad Att.* IX. 7; see also IX. 2.

his position. . . . I think his services to me deserve the price of my life."<sup>1</sup> This was all. Cicero felt himself so bound by the ties of gratitude to Pompey that he was ready to follow him to the death; and he meant this literally, for he was no coward, in the vulgar sense of the term. He quoted that fine line of Euripides, —

Τίς δ' ἐστὶ δούλος τοῦ θανάτου ἀφροντὺς ὢν;

No slave is he whom Death doth not affright.

And the closing scene of his life showed that this was no idle boast. But he enormously exaggerated the obligations he was under to Pompey. When he spoke of his services to himself, he referred to his exertions in recalling him from banishment. It is one of the most amiable traits in his character that he was more sensible of a kindness than a wrong.<sup>2</sup> He forgot the injury, and remembered only the reparation; otherwise he might have resented the coldness with which Pompey had treated him in his hour of adversity, and his abandonment by the man for whom he was now ready to sacrifice everything. Atticus reminded him of this, and he admitted it himself. "True it is," he said, "that Pompey gave me no assistance when it was in his power to do so, although afterwards he showed me great friendship, — why, I know not." But he purposely exaggerated the obligation that he might not appear to remember the injury. It was now not the cause, but the individual that attracted him. The point of view from

<sup>1</sup> Beneficia ejusdem cogito; cogito etiam dignitatem. . . . Ego vero hunc officia mercanda vita puto. — *Ad Att.* IX. 5.

<sup>2</sup> Plus apud me valore beneficii gratiam, quam injuriæ dolorem, volo. — *Ad Att.* IX. 9.

which he had at first regarded the contest was changing. He hardly deluded himself any longer with the idea that the side of Pompey was the side of the constitution; and he declared that he would not, if he could, assist him in the pestilential war he intended to carry on. When he was told that the *optimates* found fault with him, he asked in scorn, "What *optimates*? Just Heaven!" There was not a leading man amongst them, except perhaps Cato, whom he respected,—scarcely one whom he did not speak of with contempt. The consuls he compared to a leaf or a feather; Domitius was a fool; and Appius Claudius fickleness itself.

But what in the mean time was the feeling of the population of Italy on the question at issue, while the tramp of contending legions was heavy on the soil? We know, on the authority of Cicero, that it was apathy and indifference. He conversed with numbers of the townspeople and peasantry, and found that they cared for nothing but the safety of their property; but as regarded the rival leaders, the contrast in their actions had produced a complete revulsion in the minds of the people. They had formerly had confidence in Pompey; they now feared him: they had formerly feared Cæsar; they now liked him. And this, he says, was brought about by the blunders and faults of his own party. They revered Cæsar as a god; and that too, he adds, without the hypocrisy which made them offer up vows for Pompey's recovery when he was ill; and if it was said, "Aye! they are afraid," his answer was, "Yes! afraid of Pompey." They feared his pas-

sionate resentment, and were won by the politic (Cicero calls it insidious) clemency of Caesar.

At this juncture his state of mind was exactly that of the man described by the poet,—

“Whose baddest thought was but a hankering swither  
Whether to rin or stay.”

Pompey had fled to Brundisium at the end of February, and was rapidly followed by Caesar, who invested the place so closely by land as to cut off all communication on that side. Cicero's distraction in the mean time assumed almost the form of insanity. His inconsistency amounted to incoherence. In one and the same breath he upbraided Pompey in language of passionate reproach, and upbraided himself for appearing to desert him.

“I have been,” he cried, “a fool from the beginning, and I am constantly tormented because I have not followed Pompey like a private in the ranks, failing as he is in everything, or rather rushing on destruction. I saw him on the nineteenth of January terror-stricken. On that very day I saw what he was about. He has never pleased me since, and he has never ceased to commit blunder after blunder. In the mean time he never wrote to me—never meditated anything but flight. As in love-affairs women who are dirty, stupid, and ugly revolt us, so the baseness of his flight and his neglect turned me away from love. For he has done nothing which justified me in becoming the companion of his flight. Now my love for him arises—now I cannot resist the longing I feel after him—now books, literature, and studies avail me nothing. Day and night, like a sea-bird gazing on the ocean, I wish to flee away.”

If the object of all this idolatry had been more worthy of his affection, we might pity but yet admire him. We can sympathize with the feelings of the man

Who doubts yet doats, suspects yet strongly loves ;

and even as it is, the desperate fidelity with which Cicero clung to Pompey in his fallen fortunes deserves our respect. We have seen what was his own statement of the case. His judgment and his feelings were at war; his heart was at variance with his head. The conflict was too much for him, and he constantly admits his inconsistency. To Atticus, the friend of his soul, he did not scruple to confess that he often veered and changed in his views. Battling with himself, and torn with doubt, he was unable to see clearly which was the right course to take. But what do we say that he ought to have done? I think that when he discovered the iniquity of Pompey's plans, — when he had satisfied himself that vengeance had triumphed over patriotism, and that to lay waste fair Italy with fire and sword was the object which Pompey had in view, — it was his clear duty to leave him to his fate. The dignified course then would have been to observe a strict neutrality while the war raged, — and he did seriously contemplate the idea of retiring to Malta, — but at its close to have come forward and endeavored to obtain for his country the best terms she could make with the conqueror.

And all that Cæsar asked from him was neutrality. Dissembling his real feelings, he professed to be gratified at Cicero's conduct, and on his way to Brundisium wrote a few hasty lines to thank him. He begged him to meet him at Rome, where he hoped soon to be, and where he wished to avail himself of Cicero's advice and influence. Balbus and Oppius, who were at Rome, both wrote to him, urging him to remain neutral. They told him that Cæsar

felt that he could not ask him to bear arms against Pompey, to whom he was, or at all events imagined he was, under so much obligation; and that he would be abundantly satisfied if he took no part in the war, and did not side with his enemies. Cæsar declared himself anxious to be reconciled with Pompey, and in a letter he wrote to Balbus and Oppius expressed his determination to make a gentle use of victory "Let me thus," he said, "endeavor, if I can, to win back the hearts of all, and enjoy a lasting victory; for other conquerors have by their cruelties been unable to escape odium and keep success long, with the single exception of Sylla, whom I do not intend to imitate."

These were noble words, and the subsequent conduct of Cæsar showed that he was sincere. The galling part of the letter was the determination it showed that he would be master, and this Pompey could not brook. In his reply to the letter addressed to himself, Cicero said that he hoped Cæsar's meaning was he wished to employ him as a peacemaker, and, if so, he was ready to undertake the office, for which he thought no one was better qualified, as he had always been the advocate of peace, and had taken no part in the war; and he made the important admission that he considered the war against Cæsar unjust, because it was an attempt to deprive him of a command conferred upon him by the Roman people. We must not, however, suppose that this was his real opinion. Over and over again, in his confidential correspondence with Atticus, he had said the direct contrary; but his object was to ingratiate himself as much as possible with Cæsar, and he little

thought that his letters, written in all the privacy of friendship, would be published, and the inmost workings of his soul laid bare to the prying curiosity of the world. His urgent request was that Cæsar would take into account his relations with Pompey, and allow him, without offence, to acquit himself towards him as gratitude demanded. He had, he said, for some years past courted the friendship of them both, and towards both had still the same kindly feeling.

To while away the time and distract his thoughts, he amused himself with the discussion of certain political problems, or theses, as he calls them, such, for instance, as — Ought we to stay in our native country when oppressed by a despot? May we resort to any means to get rid of a tyranny? Should the conspirator against it regard his own safety? And so forth; — a dozen of which may be seen stated by him in Greek in one of his letters to Atticus. It was a sad reverse of fortune for him to be reduced to the occupation of writing themes like a schoolboy at his country-house, instead of pouring forth the thunders of his eloquence at Rome in the Forum or the Senate. Atticus had steadily advised him not to leave Italy, and the advice of this sagacious friend had always great influence with him. In the mental struggle which almost drove him frantic, it is consolatory to find that his chief anxiety still was to do what was right. The only thing he really feared was dishonor. The phantom that scared him was the dread of disgrace, the *αἰσχρὸν φαντασία*, as he calls it. For the sake of this we may forgive him much.

On the seventeenth of March Pompey embarked on board a vessel, and abandoned Brundisium and Italy forever. Cæsar entered the town on the following day, but was not able to follow the fugitive even if he had wished, as he had no means of transport. He therefore soon left the place to march upon Rome, which was waiting in trembling submission to receive her master. On the twenty-seventh he was at Sinuessa (*Rocca di Mandragone*), and the day before sent Cicero a short letter in answer to one from him in which he had praised his clemency at Corfinium. Cæsar said that he did not repent of the mercy he had shown, although he heard that those whom he had released had gone abroad to engage in war against him. In almost the identical terms of his former letter he begged Cicero to meet him at Rome, and expressed the satisfaction he felt at the conduct of his son-in-law Dolabella. On the twenty-eighth he reached Formiæ, and there he and Cicero met. We have an account of this dreaded interview in a letter to Atticus, the style of which is more than usually abrupt. It is clear that the bearing of the formidable soldier offended him, and he found him much less yielding and courteous than he expected. We may give the conversation in the form of a dialogue, keeping strictly to Cicero's own words. He declared that he would not go to Rome.

*Cæsar.* This will be regarded as a censure on myself, and others will be more reluctant to come in if you stay away.

*Cicero.* Their case is different from mine.

*Cæsar.* Well! then come to treat of peace.

*Cicero.* At my discretion, do you mean?

*Cæsar.* You don't think that I am going to dictate to you?

*Cicero.* If I undertake the task, I shall propose that the Senate

disapprove of your going into Spain, and carrying your army into Greece; and I shall express much sympathy for Pompey.

*Cæsar.* I want nothing of the kind to be said.

*Cicero.* So I thought; and on that very account I do not wish to go, because I either must say this, and much more that I cannot be silent about, or not go at all.

Cæsar then said that if he could not have the benefit of Cicero's counsel in the Senate, he would resort to others, and advised him to think the matter over. "Certainly," answered Cicero; and so they parted.

He told Atticus that he was quite satisfied with his own conduct at this interview, which was more than he had been able to say for a long time. But we may be permitted to doubt whether the account he gives of the conversation, which I have faithfully translated, is quite correct. From the character of the man it is probable that he was much more obsequious than he would have Atticus suppose; and it would be curious to read Cæsar's own version of what passed if it had come down to us. There is, however, no doubt that he was firm in his determination not to go to Rome. "How could I," he asked in a subsequent letter, "sit in the Senate alongside of Gabinus?"<sup>1</sup> And the retinue of Cæsar disgusted him. He felt towards them much as the courtiers of the old French monarchy felt towards the upstarts of the Revolution. He saw amongst them faces known to him indeed, but which he had never expected to see encircling Cæsar; and he said that there was not a rascal in Italy who had not joined his standard.

The conduct of young Quintus, his nephew, caused Cicero just then much grief. It will be

<sup>1</sup> Gabinus was recalled from banishment by Cæsar.

remembered that his uncle said that he required the bridle and his cousin the spur; but he had been spoiled by his father's indulgence, which undid all the good effect of Cicero's stricter discipline. His character wanted straightforwardness and sincerity, and there was great difficulty in managing him; but he had behaved kindly and affectionately in the quarrels of his parents, and it was through his interference chiefly that a divorce between them had not taken place; and perhaps the act which now gave so much offence to his uncle proceeded from a good motive. He wrote to Cæsar and told him that his father and uncle intended to leave Italy; and having, on some pretext or other, gone to Rome, he had an interview with Cæsar on the same subject. Cicero and his father regarded this as an act of base treachery, but really it may have been done out of affection for them both, as the only means the young man had of keeping them at home, which he may have thought was the best thing for them. Cicero at first thought that he wished to endanger the safety of them both by exciting Cæsar's anger; but he afterwards acquitted him of this wickedness, and said that avarice was at the bottom of his conduct: he was in hopes of getting a reward for his information. Cicero begged Atticus to believe that this was not from any fault in his education, but his own natural propensity to evil.

From his villa at Arpinum he went to stay a few days with his brother in the country, and then betook himself to his own Cuman villa, where he remained nearly a month. He continued his correspondence with Atticus, but it is the same old story. Curio had

been appointed by Cæsar proprætor of Sicily, and on his way thither paid Cicero a flying visit, attended, to his surprise, by six lictors with laurelled fasces, which was quite unusual, as these implied that he had gained some victory and claimed a triumph. Curio, however, soon explained it by saying that Cæsar had given them by his own authority; for he was angry with the Senate, and considered himself now the fountain of honor. This was significant of what was coming. Cœlius, who was on the point of setting off to follow Cæsar into Spain, wrote to Cicero an affectionate letter, entreating him in the most pressing terms to consult his own safety by joining Cæsar, or at all events take no rash step in following Pompey's ruined fortunes until they returned from Spain. He warned him that by-and-by Cæsar would not show the same gentleness to his enemies as he had shown hitherto; for he was angry, and his language was threatening. He advised him, if he would not join them now, to go and stay in some quiet town until the war was over, and he assured him that if he did so Cæsar would not be offended. Cæsar himself also wrote to him, and told him that he excused his not coming to Rome, but that others complained that they did not receive the same indulgence from him as Cicero. They, however, were men whose sons were with Cæsar's army that invested Brundisium, and Cicero ridiculed the idea of their having any scruples about taking their seats in the Senate. He repeated to Atticus his conviction that both the leaders were fighting for sole power, and that if Pompey conquered he would use his victory like Sylla. Still he insisted that he must avoid the charge

of ingratitude towards him, and talked of retiring to Malta, or some other similar place. He wrote to Cælius, in answer to a letter from him, that he would gladly hide his head in any corner of Italy were it not for the troublesome pomp of his lictors, and the name of *Imperator* which he bore. As to the designs imputed to him of being about to go across the sea, he expressed himself with caution, but emphatically protested that he would take no part in civil war. He was not, he said, alarmed by the dark hints which Cælius threw out of possible injury to himself, for he must bear his part in the general calamity. If the Republic continued to exist at all, he would leave his son a sufficient patrimony in the inheritance of his name, and if it was destroyed, the young man would only share the common lot of all.

As time went on he became more and more resolved to leave Italy and follow Pompey. As long as there was a hope of an accommodation he said he had been unwilling to do so, for Cæsar would have been offended with *him* even if reconciled with Pompey; and he confessed to Atticus that he had no faith in the stability of Cæsar's power, if he were victorious. He had already made himself very unpopular at Rome, where the people seem to have hissed him in the theatre,<sup>1</sup> and his plunder of the treasury had disabused men's minds of the idea of his wealth. Cicero said he did not believe his "reign" would last six months. *He must fall either by the hand of his enemies* (how true was this prophecy!) *or by himself, for he was his own worst enemy*; "and this," he added, "*I hope I shall live to see*, although

<sup>1</sup> See *Ad Att.* X. 12.

it is time for me now to turn my thoughts to that eternal life of the hereafter, and not to the short life of the present."

Cæsar, who was on his way to Spain, wrote to him not to commit himself on the losing side, and to observe a strict neutrality between the contending parties. Antony, who was now one of the tribunes, had been appointed proprætor of Italy in his absence, and was making a sort of progress through the country with his mistress, a ballet-dancer named Cytheris, carried in a litter by his side, while his wife accompanied him. He wrote to him that he could not credit the rumor that he was about to cross the sea, against the wishes of his family and friends. "I assure you," he said, "that no one is dearer to me than you, Cæsar alone excepted; and I am certain that Cæsar ranks Cicero amongst his dearest friends." To this he replied that he was not unmindful of his family and friends; but as he did not like to go about in Italy attended by his lictors, he thought of embarking: he had, however, not made up his mind. This brought an answer from Antony in a very different tone. Cicero calls it a laconic despatch,<sup>1</sup> written under the influence of wine. Antony told him that it was his duty to see that no one quitted Italy, and he could not allow him to go. Those who were neutral stayed, and those who went took a side. If therefore he wished to leave, he must send and get leave from Cæsar, who he did not doubt would grant it. Cicero expected a visit from the great man, but

<sup>1</sup> σκυτάλη Λακωνική. This properly was a stick or roller round which the letter was wrapped to make it intelligible. It was used as a sort of cipher. The correspondent had a similar stick.

he passed on to Capua without stopping to see him, and then sent him a message to say that he had not called on him because he feared Cicero was angry with him.

He had now quite made up his mind to cross the sea, but being a miserable sailor was afraid of the voyage, as he would be obliged to embark in a small vessel or boat; and, although it was the month of May, declared it was a bad time of the year for sailing. He had a most unpleasant recollection of his passage in the Rhodian ship when he went from Athens to Asia Minor. Besides, the sea was closely guarded, by Cæsar's orders, to intercept fugitives, none of whom were allowed to sail without a passport or *diploma*, as it was called; and Cicero thought that he would have to hide himself on board some merchantman to escape the vigilance of the cruisers. His strong desire was that Cæsar should fail in Spain, but it was hoping against hope. Cato held Sicily, but Curio was on his way to drive him out of the island, and he left it at the end of April. In money matters Cicero was in some difficulty. He frequently alludes to the subject, both as regards himself and Quintus, both of whom seem to have been always too ready to resort to the expedient of borrowing, which was by no means easy in such troubled times. He left his Cuman villa before the middle of May, and went to his country-seat near Pompeii, in order the better to conceal his purpose of leaving Italy, while a ship was getting ready. Here Dionysius came to him, and excused himself from accompanying him to Greece on the ground of private affairs. This pained Cicero, for he thought that

Dionysius was deserting him in adversity ; and yet, after what had already passed between them, he could have expected nothing else. He had here an opportunity, if he pleased, of making a small diversion in favor of Pompey ; for the centurions of three cohorts which were in Pompeii asked to have an interview with him, offering to give up the town to him and make him their captain. This, however, would have been a mad enterprise, even if Cicero had been the kind of man to undertake it. As it was, he suspected that it was a plan to entrap him, and he declined to see them or have anything to do with the scheme. For a long time he had suffered from an affection of the eyes which often prevented him from writing, and obliged him to employ an amanuensis. Atticus also was lying ill of fever and ague, which was of rather an obstinate character ; but the two friends constantly corresponded, and hardly a day passed in which letters were not interchanged between them.

On the nineteenth of May his daughter Tullia gave birth, at his Pompeian villa, to a seven-months' son, a very weakly child which soon afterwards died. From this date until the eleventh of June there is a blank in his correspondence. On that day he embarked at Caieta, with his brother, his son, and his nephew, on board a vessel to sail to the opposite coast, and join Pompey. The last letter we have from him this year is one he wrote on that day, as soon as he got on board, to his wife and daughter, whom he left behind. He had been for some time previously more than usually dejected, but was now in better spirits, which he attributed to the fact of his having thrown up a quantity of bile the night

before; and perhaps also the fact of taking the decisive step at last brought him some relief. Torn as his mind had been by doubt and perplexity, "letting 'I dare not' wait upon 'I would,'" he must have felt it better to decide wrong than not to decide at all. His letter is kind and affectionate. He says he would exhort them to fortitude if he did not know that they showed more of that quality than any of his own sex. He advised them to stay at such of his villas as were farthest away from the soldiers, and recommended them to remove their establishment of slaves to his farm near Arpinum. He hoped himself to be still able to defend the Republic.

Cæsar made himself master of Spain, and was declared dictator by a law proposed by the prætor Lepidus. He hastened back to Rome, where he stayed only eleven days; and after passing several measures — one of which provided that property should be valued by arbitrators as it stood before the outbreak of the Civil War, and that debts should be paid according to that valuation — he laid down the office of dictator, and hastened to Brundisium, where he had ordered his army to assemble. This was in December. He had means of transport for only seven legions, and with these he crossed over to the opposite coast, leaving the rest of his army to follow afterwards. He landed at a place called Palæste (*Palusa*) in Epirus, and stood face to face with his enemy, who had so long been preparing for the final struggle. It seems astonishing that Pompey did not take advantage of Cæsar's absence in Spain to try and recover Italy. So far as we can see, there was nothing to have prevented him from marching upon

Rome and occupying the capital, which would have placed Cæsar at a great disadvantage. There is no reason to suppose that he would not have been welcomed by the people, with whom, as we have seen, Cæsar had already become unpopular. Is it possible that he could have been afraid to measure swords with Antony, who governed Italy as *proprætor*? We are so entirely in the dark as to what passed in the councils of Pompey at this period, that we are driven to conjecture to suggest motives for the faint-hearted policy he pursued. He may have rested his hopes on his legions in Spain, and waited to see the issue of the contest there; but we can imagine no better diversion in his favor than for him to have crossed over from Epirus with all the troops he could muster, and, crushing the feeble force of Antony, seized possession of the defenceless capital.

Of the particulars of Cicero's arrival and reception in his camp we know almost nothing. We are told indeed by Plutarch that Cato upbraided him for his folly in coming to them. He perhaps felt that their cause was desperate, and did not wish to involve in its ruin a man like Cicero, whose ability and eloquence would give him influence when peace was restored, but who could be of no use in a struggle of which the sole arbiter was the sword. According to the same authority he was slighted by Pompey, and little attention was paid to his suggestions. That this is true we can readily believe. We know that while they were both in Italy, Cicero complained that he was not admitted to Pompey's confidence, and that everything was done contrary to his wishes and advice. He revenged himself by indulging his sar-

castic humor at the expense of his associates, which irritated Pompey, and must have made him many enemies in the army.<sup>1</sup> When he was reproached for coming late to the camp, he answered, "By no means late, for I find nothing ready here." On Pompey asking him, "Where is your son-in-law?" he retorted, "With your father-in-law." When Pompey promised the rights of citizenship to a Gaul who had deserted from Cæsar, Cicero said, "This is a pretty fellow to bestow the citizenship of a foreign country upon Gauls, when he cannot restore to us our own." On some one remarking after a defeat that they might cheer up, for there were still seven eagles left in Pompey's camp, he replied, "That would be good reason for encouragement if we were going to fight against jackdaws." No wonder then, that, as Macrobius tells us, Pompey exclaimed, "I wish Cicero would go over to Cæsar, in order to become afraid of us."

<sup>1</sup> There is no doubt that his caustic wit often gave offence, and Macrobius tells us that his enemies used to call him "the consular buffoon" — "*consularem scurram*." He adds that, when he defended men who were notoriously guilty, he sometimes got them off by his jests, and he mentions particularly the case of L. Flaccus, which Macrobius says became known to him by a book of jests collected by one Furius Bibaculus. See *Saturn.* II. c. I. II. His son-in law Dolabella was of short stature, and once, when Cicero saw him with a long sword at his side, he asked, "Who has tied that little fellow to his sword?"

## CHAPTER XIX.

DOMESTIC TROUBLES. — DIVORCE FROM TERENTIA. —  
DEATH OF TULLIA. — SECOND MARRIAGE.

ÆT. 59-62. B. C. 43-45.

THE renewal of Cicero's correspondence, as it has come down to us, begins with a letter to Atticus, dated from Epirus in February, B. C. 48. It relates entirely to the embarrassment of his affairs, caused in a great measure by the mismanagement or misconduct of his steward Philotimus; but almost immediately afterwards some property was left him by will which tended to relieve his anxiety on that account. Another cause of disquiet just now was the distressed condition of his daughter Tullia, owing to the extravagance of her husband Dolabella, who had spent the portion of her dowry which had already been paid, and Cicero was afraid that the rest would go in the same manner. Cælius, who was prætor, wrote to him from Rome in a tone of great dissatisfaction with the state of things there. Indeed he used language which would have been treason if there had been a settled government at Rome, and which at all events was treachery. "You are all asleep. You do not seem to understand our weak points, nor how weak we are. What are you about yonder? Are you waiting for a pitched battle, which

is our best chance? I don't know what your forces are. Ours are accustomed to fight stubbornly, and bear cold and hunger easily." He heard also from his son-in-law Dolabella, who addressed him as "my dearest Cicero" (*mi jucundissime Cicero*), although a divorce between himself and Tullia was then imminent, and he pointed out the hopelessness of the cause he had embraced. He advised him, if Pompey was driven out of Epirus, and attempted to carry on the war elsewhere, to abandon him to his fate and retire to Athens, or some other quiet town, where he would join him if possible. We find three letters from Cicero to his wife at this period, inquiring kindly after her health, and in his usual tone towards her. This would not be worth mentioning were it not for the divorce which before very long took place between them, the cause of which is so obscure; and it is important to notice that up to this time they appear to have been on the best possible terms. We do not find the slightest trace of any quarrel between them, nor the faintest hint that Cicero had any cause to complain of her temper, which, on the sole authority of Plutarch, has been so generally assumed to be bad.

Although his affairs were by no means in a flourishing position, it appears that he was able at this time to lend a large sum of money to Pompey, chiefly, as he candidly confesses to Atticus, because he thought that if his side was successful such an act would redound to his credit. One of the most puzzling things to understand clearly is how, in the midst of apparent distress and difficulty, both he and Quintus were always able to find money. They had

no scruple in borrowing, but we do not know what security they had to offer. A short time before this, Cicero had received, from the agents of Atticus in Epirus, a sum of money and a supply of clothes; and he wrote and told him to borrow money in his name from his friends. He said they would probably require his seal or handwriting as a security, but Atticus was to tell them that for safety's sake he abstained from sending either.

His next letter to Atticus this year was written in July, just after a battle had been fought near Dyrrachium, in which Pompey was victorious. It was the last gleam of success that shone upon his standard. He had conducted the campaign in Epirus with vigor and ability, and more than once Caesar was on the point of being crushed. A break now occurs in Cicero's correspondence until November. In the mean time the decisive battle of Pharsalia was fought, and Pompey fled to Egypt, to perish there by the sword of an assassin. Plutarch tells us that, when the news of Pompey's defeat at Pharsalia reached Dyrrachium, where Cato and Cicero both were with fifteen cohorts, besides a considerable fleet, Cato wished Cicero to take the office of commander-in-chief; and that on his refusal to assume a post for which he was so little fitted, young Pompey and his friends called him "traitor!" and drew their swords upon him. Cato however interposed, and with some difficulty rescued him and brought him out of the camp.

In November he returned to Italy, and landed at Brundisium. His wife immediately wrote to him, expressing her joy at his arrival, and offering to go

and meet him. He however dissuaded her from this, on the ground that the journey was long and unsafe; and added — coldly, as we should think — that he did not see what good she could do if she did come. Atticus advised him to approach nearer Rome, and travel by night to avoid observation; but Cicero objected on account of the inconvenience of the inns or stopping-places in which, in that case, he would have to pass the daytime; and he gave what really seems a laughable reason for not going nearer to Rome. He was still attended by those unlucky liectors — an incubus which clung to him like the Old Man of the Sea on the neck of Sinbad the Sailor, and which he could not bring himself to shake off. The people, he said, had given them to him, and he could not part with them. When he entered Brundisium, however, being afraid that they might be attacked by the soldiers, he made them slip into the crowd that they might pass unobserved. He was ill both in body and mind. He was afraid that Caesar might be angry at his coming to Italy without his permission; and, to increase his perplexity, Antony sent him a copy of a letter from Caesar, forbidding any of Pompey's late adherents to return without his express sanction, and added that he had no option, but must obey the orders he had received. But Cicero, through the medium of a friend, informed Antony that Caesar had directed Dolabella to write to him, and tell him he might come to Italy as soon as he pleased. Upon this Antony offered to except him and Caelius by name under a special edict, but this Cicero declined. He was afraid that it would point him out too prominently as a deserter from the

side of Pompey; and he was not without an uneasy apprehension that possibly that side might prove victorious, in which case any special exception by Cæsar in his favor would expose him to the vengeance of his late associates. It seems, however, that the edict was promulgated contrary to his wish.<sup>1</sup> With his usual indecision, he repented the step he had taken in coming to Italy, and wished he had stayed away until he was formally summoned to return. He did not, however, at all repent that he had ceased to have anything to do with the war. His spirit revolted at the cruelties he had witnessed, and still more at the atrocious plans which Pompey had formed in case he was successful. He told Atticus that a proscription had been determined on not only against individuals, but whole classes, and the property of all Cæsar's adherents was to be confiscated. Atticus himself was included by name as one of the intended victims. He also could not bear the idea of having barbarous hordes as allies to fight against the legions of Rome. Still he feared lest by possibility the issue of the contest in Africa might be in favor of the side of Pompey. "And then," he cried despairingly to Atticus, "you see what will become of me. Aye! but you will say, 'What will become of *them* if they are beaten?' Their fate will be more honorable than mine." By this he meant that the other leaders would at all events fall fighting bravely to the last, whereas he would be branded as a deserter and an apostate. Such was the unhappy view he took of his own position, and he was constantly tormented by self-reproach.

<sup>1</sup> See *Ad Att.* XI. 9.



POMPEY THE GREAT.



At the end of November he heard of the death of Pompey. He alludes to it in terms of less feeling than we should have expected, considering his devoted attachment to him. Perhaps the closer contact into which he had been brought with him in the camp, and his knowledge of the pitiless revenge he intended to take if victorious, had cooled the warmth of his friendship. He told Atticus that he had never doubted, after the battle of Pharsalia, what Pompey's end would be; for in the desperate state of his fortunes he had not a king nor a people on his side. "I cannot," he said, "but deplore his fate; for I knew him to be an upright, pure, and earnest man."

The health of his beloved daughter Tullia at this time caused him great uneasiness, and he wrote to his wife, saying that he well knew she was as much distressed as himself. Poor Tullia had a worthless husband, and was reduced almost to penury by his extravagance. Cicero earnestly besought Atticus to take care of her, and told him that he wrote with tears bursting from his eyes. To add to his sorrow, his brother Quintus had now quarrelled with him. They had parted at Patræ on bad terms, the exact cause of which is by no means clear; but it seems probable, from several passages in Cicero's correspondence, that Quintus imagined that his brother had tried to make his peace with Cæsar by throwing upon him the blame of the step he had taken in following Pompey to Epirus. Very likely Quintus had strongly advised him to leave Italy. At all events Quintus, who had sent his son to Cæsar to entreat his forgiveness, declared that he was opposed by Cicero's influence, and retorted by making him the

scapegoat of their joint offence. With the hasty and impulsive vehemence of his nature, he spoke in the harshest terms of his brother. The charge, however, was utterly untrue, and Cæsar himself refuted it. Nothing afflicted Cicero more than the alienation of a brother whom he had loved so warmly, and who had hitherto shown such affection towards himself.

“Alas! they had been friends in youth;  
But whispering tongues can poison truth;  
And constancy dwells in realms above;  
And life is thorny, and youth is vain;  
And to be wroth with one we love  
Doth work like madness in the brain.”

It so affected his health that for a time he took to his bed. It was, he said, incredible that it should have happened. Amidst all this unhappiness the year ended.

The new year, B. C. 47, opened without any consuls. Cæsar had been again created dictator, and Antony was his master of horse. This state of things lasted until Cæsar's return to Rome from Egypt, when he allowed Q. Fufius Calenus and P. Vatinius, whom he had recalled from banishment, to be elected consuls for the short remaining period of the year, but took care to have himself and M. Æmilius Lepidus nominated for the following year.

It is painful to read the letters in which Cicero gives vent to his feelings of self-reproach. As Abeken justly remarks, few men have exposed themselves so fully to hostile criticism, for few have had such a friend as Atticus to whom they have unburdened their hearts with such absolute unreserve. It was like thinking aloud. Every transient phase of

feeling is reflected in his letters as in a mirror. The half-formed plan, the sudden impulse, the hasty change, are all recorded — “graven in a rock forever”; — and by the publication of his private correspondence, which he could never have anticipated, the most secret thoughts of his soul have become known. In the whole history of literature, I know no case where friend has communicated with friend for a long series of years — nay, for a whole life — on terms of such absolute confidence as these two distinguished men. They realized the blessings of friendship in its most comprehensive sense; but Cicero pays the penalty of his frankness by having the whole world taken into his secrets. It is unfortunate that all the letters of Atticus are lost. So far as we can see, his judgment was sound; and Cicero hardly ever neglected his advice without seeing reason afterwards to repent his mistake. Atticus was a man of a cold and calm temperament, with a keen eye to his own interest; but he was just the kind of counsellor to guide in the path of prudence a man of such a warm and excitable disposition as Cicero. We may be very sure that not even Atticus would have had influence with him sufficient to make him do anything which he believed to be incompatible with his honor; but if he had listened to him more attentively, he would have steered a steadier course amidst the whirlpools and billows in which the ship of the Republic at last went down.

In the first letter written from Brundisium in January he said, “I am lost by my own fault. I owe no misfortune to chance. I have to blame myself for all the sorrows which have been brought upon

me." But he now declared that in following Pompey to Epirus he had yielded to the persuasion of his family, or rather obeyed their directions; and he specially named his brother Quintus as having instigated him to take that step. But it is due to him to mention that he was of too generous a nature to injure his brother by saying anything of the kind to Cæsar. He wrote to Cæsar, and earnestly absolved Quintus from having given any advice which could offend him, declaring that his brother had been rather the companion than the instigator of his flight; and he entreated him not to allow his own conduct to operate in any way to the disadvantage of his brother. This was before he had discovered the extent to which Quintus had wronged him, but when he did discover it he declared that this should make no difference in his endeavor to reconcile Cæsar to his brother.<sup>1</sup>

A despatch was brought to Cicero at Brundisium containing letters from his brother to Vatinius, Ligurius, and others. He sent on those addressed to Vatinius and Ligurius, who seem to have been in the neighborhood of the town. They immediately came to him and showed him their letters, which were full of bitter reproaches against himself. Upon this Cicero determined to see what the contents of the others were, excusing the act on the ground that it was for Quintus's interest not to allow such discreditable proceedings to spread further. He opened the letters, and having read them sent them to Atticus, that he might exercise his discretion whether he would forward them to their destination or not. He

<sup>1</sup> Ego tamen is ero qui semper fui. — *Ad Att.* XI. 12.

told him that, as Pomponia had her husband's seal, they could be resealed by her, and then sent to their respective addresses. I have already noticed a previous instance of letter-opening by Cicero, and in neither case can the act be justified. What he ought to have done was to decline to forward the letters, if he suspected that they contained false accusations against himself, and he might have apprised Quintus of this; but on no account should he have read them. His nephew also behaved with great animosity towards him; and the young man showed a friend of Cicero at Ephesus a written speech which he had prepared, and intended to deliver in accusation of his uncle when he obtained an interview with Cæsar. So afraid was he of the effect which these calumnies might have on Cæsar's mind, that he looked forward to the possibility of a confiscation of his own and Terentia's property, and darkly hinted at suicide. The thought that Tullia would be left an orphan and in want was agonizing to him. In the language of passionate despair he exclaimed, "I write this on my birthday—a day on which would to God that I had never been born, or at all events that my mother had not afterwards borne another son!" These last words were wrung from him by the recollection of the conduct of his brother. But he felt by no means sure that Cæsar would ultimately become master of the Roman world. He heard that the republican party was strong in Africa, that Italy was disaffected, and Rome alienated from the conqueror. He even credited the rumor that his legions had begun to waver in their attachment to him. All this increased his perplexity, for he was

placed between two fires, and the success of either side might be fatal to himself.

He was, as might be expected, in pecuniary difficulties. He had sold or mortgaged a farm near Frusinum (*Frussilone*), retaining a right of redemption; but he was afraid that he would be unable to purchase it back again. He attributed his present embarrassment to the large sum he had lent to Pompey, and he had borrowed money from Atticus's bailiff in Epirus, and from other quarters, partly to supply the necessities of his brother. At this time another legacy, or "inheritance" in the Roman sense, was left to him by a person named Galeo; but the amount is not stated, only it appears to have been the whole of Galeo's property, or, as it was called, a *cretio simplex*.<sup>1</sup> He was anxious that his wife should make her will, and provide for the payment of the debts she owed; for it must be remembered that the Roman law differed from our own, and did not give the husband the absolute ownership of the wife's personal property. And here for the first time we have a hint that Cicero was dissatisfied with his wife's conduct in the management of her affairs, and perhaps of his own. He uses the strong expression that he had heard from Philotimus his steward that she was acting "wickedly," — a thing, he adds, which was scarcely credible.

Quintus wrote to him to vindicate himself, but in a tone of such animosity that Cicero declared it was worse than when he accused him to his face. He

<sup>1</sup> The word *cretio* meant the act of election by which the person who was constituted "heir" determined to accept the property with all its liabilities. The form of acceptance was this: "Quum me Mœvius hæredem constituerit, eam hereditatem adeo cernoque."

says that Quintus took advantage of his crushed fortunes to display all his ill-will towards him. It is melancholy to find such waters of bitterness flowing between two brothers who hitherto had been united by the bond of closest affection ; but so far as appears from his correspondence, Cicero was not to blame. Misfortune had made Quintus unjust, and his son seems to have behaved with the grossest ingratitude towards his uncle. To all this was added the sting of self-reproach. He was now convinced that he had done wrong in returning to Italy, and the pang was increased by the consideration that, with the exception of Lælius, he was the only one of Pompey's adherents who was in that predicament. The chief leaders of the party were in Africa prepared to carry on the war there, and others who wavered remained in Greece, intending to sue for pardon from Cæsar.

Tullia came to him at Brundisium in June, but even her affection could not console his sinking spirit. It rather added to his sorrow to see his beloved daughter in such distress. A divorce between her and her husband was openly talked of, and the only question seemed to be from which side the proposal should first come. A second instalment of her dowry had been paid, and, as usual, spent by Dolabella. His conduct in every way was most disgraceful. He had caused himself to be adopted, like Clodius, into a plebeian family, in order to be elected a tribune of the people, and then proposed a measure for the confiscation of debts. Cicero wrote to Atticus to sell some of his plate and furniture, in order to raise funds. Atticus generously replied that his

purse was open to Tullia, and informed him that he had some money (mentioning the amount) at his disposal out of property belonging to Cicero. Terentia, however, sent him less than the amount which Atticus had named, and wrote and told him that this was all that was left. He therefore concluded that his wife was defrauding him of the difference; and, when he mentioned it to Atticus, said it was only one of innumerable causes of complaint he had against her. But several letters from him to her at this time are still extant, all written in his usual tone, and in none of them does he allude to the subject. They are not what we should consider affectionate as addressed by a husband to a wife in the midst of misfortunes common to them both; but it was not his habit, nor the habit of the Roman mind, to write in such a strain. The only indication of tenderness is that he always begs her to take care of her health.

Cæsar landed in Italy at Tarentum in September. The moment had arrived to which Cicero had looked forward with so much doubt and apprehension — the moment of being brought face to face with the conqueror of Pharsalia. It is very unfortunate that we have no account from his own pen of the interview; but Plutarch has described the meeting with a few graphic touches. When he heard that Cæsar was on his way from Tarentum to Brundisium, he did not wait but hastened towards him, “not altogether without hope, and yet in some fear of making experiment of the temper of an enemy and a conqueror in the presence of so many witnesses.” But there was no need of alarm. Plutarch’s narrative

reminds us of the story of the meeting between Jacob and Esau: "For Cæsar, as soon as he saw him coming a good way before the rest of the company, came down to meet him, saluted him, and, leading the way, conversed with him alone for some furlongs."

At the end of September he quitted Brundisium, the air of which he had found injurious to his health, and proceeded to his Tusculan villa, where he intended to remain for a few weeks. Terentia was there, and he wrote her a short letter, telling her to have the bath-room ready and a supply of provisions, as he expected to have friends with him. He stayed there until December, when we find him at last in Rome, having, I suppose, at last given up all hopes of a triumph, and dismissed his lictors. From here he wrote to Trebonius, to thank him for a book he had sent him containing a collection of Cicero's witticisms, which Trebonius had just published, and which seems to have appeared at no very opportune moment.

Cicero was now sixty-one years old—a gray-headed man. What changes had happened since he had last quitted the walls of Rome! He had not, indeed, been *within* those walls since the time when he left the city to assume the proconsular government of Cilicia. The old Republic was gone forever; his party was scattered to the winds, and most of his friends had either fallen in battle or were carrying on a hopeless struggle in Africa and Spain.

He took up his abode quietly in the city. He returned and made his peace, as he wrote to Varro, with his old friends, his books, the use of which he

had discontinued, not because he had quarrelled with them, but because they had made him feel rather ashamed of himself. For by plunging into turbulent strife with associates whom he had found most faithless, he said he had paid too little attention to their precepts. But they pardoned him, and invited him to resume his former intimacy with them, telling him that Varro, who had never abandoned them, was wiser than himself. He was anxious above all things to stand well with Cæsar. In a letter to Munatius Plancus, who was then with the army in Africa, he begged him to believe that whatever part of his conduct during the war might have caused offence to Cæsar was owing to the advice and persuasion of others, and that his counsels had been more moderate than those of any one else on Pompey's side. In another letter to his former quæstor, Mescinius Rufus, he admits that while the issue of the struggle was still uncertain he might have exhibited weakness, but now that the cause he had espoused was desperate, he felt more confidence. This, paradoxical as it may seem, we can easily believe. He was no longer halting between two opinions. He was relieved from the miserable necessity of constantly balancing the claims of prudence and duty, and having submitted himself to Cæsar, and taking no further part in the conflict, he had no fears for his personal safety, and looked on at the course of events with a kind of sullen resignation. In this spirit he declared that good had come out of evil, for in the ruin of the Republic, the approach of death was a thing rather to be desired than dreaded. He would devote himself to

study, and if he was in future to take no active part in politics, he could at least write upon them, and so, copying the example of some of the wisest of the ancients, do the state good service. He would gladly have left Rome, where everything offended him, and retired to the quiet of the country, but he was afraid of showing the appearance of fear. The tongues of the malevolent might whisper that he was meditating flight. So he said in April; but in May he did quit the city for a short time, to pay a visit to some of his villas, from one of which he wrote to Atticus, with whom he had made an appointment to meet somewhere, and it seems that Tullia and little Attica were to be at the rendezvous, for he says, "How gladly shall I run and embrace Tullia and give a kiss to Attica. Pray write and tell me all her prattle, or, if she is in the country, tell me what she writes to you."

We find him at Tusculum in June, and from this, his favorite residence, he wrote to Atticus with all the warmth of his strong friendship, and declared that even the Islands of the Blessed would have no charms if he were absent. The news had arrived of Cato's death by his own hand at Utica, and Cicero had been asked by Atticus and others to compose a panegyric upon their illustrious countryman, but he felt a difficulty in undertaking the task. He did not like to confine himself merely to praise of his moral qualities and omit all mention of his political opinions and public career. But how could he handle that part of the subject without giving offence to the men who were now in power? However, he mustered courage to compose the work, and it had

the curious effect of drawing from Cæsar himself a reply, which he entitled *Anticato*. This he wrote while absent from Rome and occupied with the Spanish campaign. When Madame de Staël offended Napoleon by her writings, he banished her from France. But Cæsar took a nobler course. He condescended to enter the lists of controversy with his pen, and had the generosity to praise the author while he endeavored to refute the work.

Cæsar was now on his way back from Africa, and Cicero at Rome did his best to ingratiate himself with the leaders of the victorious party. He frequented their dinner-tables, excusing himself with the plea that he must march with the times,<sup>1</sup> and that it was a mark of good sense not to offend those who were in power. He could not altogether resist his fondness for a joke, and his wit sometimes got the better of his discretion. But Cæsar relished these *bons mots*, and desired his friends at Rome to send them to him as additions to his stock of *facetiae*, which he had taken some pains to collect.<sup>2</sup> Cicero was in better spirits than he had been for some time, and wrote cheerfully to his old friend Pætus about the capital suppers he enjoyed and the amusement he found in giving lessons in declamation to Hirtius and Dolabella, whom he called his pupils in the art of speaking, but his teachers in the art of entertaining. Considering the character of Dolabella and his divorce from Tullia, which had either already taken place or was then imminent, we are astonished to find Cicero on such intimate terms with his worthless son-in-law. It is one of the many proofs how differ-

<sup>1</sup> *Tempori serviendum est.* — *Ad Div.* IX. 7.

<sup>2</sup> See Suet. *Cæs.* c. 56.

ent the state of society at Rome was from that of modern times, and how much less sensitive it was on subjects affecting family happiness. He told Pætus in jest that he had joined Epicurus's camp, and rallied him for supposing that plain dishes and simple fare would any longer satisfy such an *epicure* as himself. Pætus had an attack of gout which confined him to bed, but Cicero told him he would come and sup with him nevertheless, for he did not suppose his cook had the gout also. He begged another friend to put off an appointment with the gout for two or three days until he had paid him a visit. He describes his mode of life at this time as follows: — He received visitors early in the morning, and when the *levée*, which was always well attended, was over, he betook himself to his studies, and either wrote or read for some time, after which he devoted the rest of the day to bodily exercise, not forgetting the good dinners given by his luxurious friends. He seems to have thought he might now go out of mourning for the Republic, for he says: "I have already mourned for my country more heavily and longer than a mother for her only son." But this was not his habitual state of mind. When writing in a more serious strain he did not disguise his grief, which he said scarcely admitted of consolation; and his only refuge was the study of philosophy, since both the Senate-house and the Forum were closed to the efforts of eloquence. He poured forth his sorrows in a letter to Nigidius Figulus, one of his most learned and accomplished friends, and declared that he often felt that he had more cause to complain of life than to rejoice that he still lived.

In August he left Rome and spent a few weeks at one or other of his villas. In the hot months of autumn none was pleasanter than his seat near Antium by the sea-side, and he speaks of it with delight. But he returned to Rome in September; the *Septembribus horis*, which Horace described as so unhealthy in the city in this time, and which are little better at the present day. He here wrote to M. Marcellus, who since the battle of Pharsalia had been living in retirement at Mitylene, to urge him to return and submit himself to Cæsar. His argument was, that, if Pompey had been victorious, matters would not be much better, and if the Republic could be considered still to exist, a man of the mark of Marcellus ought not to withdraw from it. If it was wholly lost, Rome was notwithstanding the best place to stay in; for as to the idea that liberty was to be found elsewhere this was a mistake. Cæsar was now lord of all, and his arm stretched over the whole world; but he was the friend of genius, and disposed to protect men of eminence and renown. And these were not idle words, for although Marcellus had been one of Cæsar's most persevering opponents, and by his hostility might be thought to have almost forced on the Civil War, he received the pardon of the conqueror, and came back to Rome. Cicero says that he had resolved to keep perpetual silence in the Senate, but was so overcome by a sense of Cæsar's magnanimity that he could not refrain from giving vent to his feelings. He rose and delivered a short oration when Cæsar gave his consent to Marcellus's return.<sup>1</sup> It is, as might be ex-

<sup>1</sup> Wolf and Spalding have tried to prove that the speech *pro Marcello*,

pected, full of compliments to Cæsar, or, perhaps, a truer description of it would be to call it a specimen of abject flattery.

To Ligarius, who was one of those who had carried on the war in Africa and had continued therefore in arms longer than Marcellus, Cicero wrote in praise of Cæsar's generosity, saying that public opinion, and time, and his own nature disposed him more and more to clemency. He himself had an interview with Cæsar to supplicate the pardon of Ligarius, and afterwards defended him in his absence, when he was impeached by Tubero for having borne arms against Cæsar in the African campaign. When Cæsar heard that Cicero had undertaken the case, he said to his friends, "Why might we not as well once more hear a speech from Cicero? There is no doubt that Ligarius is a bad man and an enemy." He meant to imply that it would be an amusement to hear the famous orator, and there was no fear that his eloquence would alter the opinion of Ligarius's guilt. But as Cicero proceeded, Cæsar, who sat as judge in the tribunal, was observed to change color, and his emotion became visible to all. "At length," to quote the words of Plutarch, "the orator touching upon the battle of Pharsalia, he was so affected that his body trembled, and some of the papers he held dropped from his hands, and thus he was overpowered, and acquitted Ligarius."

There is no doubt that the speech was a masterpiece of art. We must remember that he too had espoused the side of Pompey, and it was therefore

as we have it, is spurious. But most scholars are of a different opinion. There is an essay by Passow in defence of its genuineness.

a matter of no little delicacy to have to advocate the cause of a person upon a charge which applied equally to himself; but he cited his own pardon as a proof of the native goodness and mercy of Cæsar, and he overwhelmed the accuser with shame for attempting to intercept that bounty towards another which had been bestowed so largely upon himself. Never was flattery more dexterously applied to conciliate a judge. How artfully he appeals to the mercy of the Dictator in the following passage:—

“All that I have said I have addressed to your humanity, your clemency, your compassion. I have pleaded many causes, Cæsar, and some even with you as my coadjutor, whilst you paved the way to your future honors by practice in the Forum; but never did I adopt this tone for my client: ‘Pardon him, judges; he has erred; he is guilty; he did it unwittingly; if ever again.’—That is the language to be addressed to a parent, but to a court of justice this: ‘He did not do it; he never contemplated the act; the witnesses are forsworn; the charge is false.’ Tell me, Cæsar, that you are sitting as a judge to try Ligarius on the question of fact, and ask me in whose garrisons he was found—I am at once silent. I care not to plead in excuse that which might perhaps avail, even with a judge. ‘He went there as a lieutenant before the war. He was left in the province during the continuance of peace. He was taken by surprise when war broke out; he showed no animosity while it lasted—even then he was in his heart, and in his wishes, on your side.’ Such would be the line of defence before a judge; but I am speaking to a parent: ‘I have sinned; I acted unadvisedly; I am sorry for my fault; I throw myself upon your mercy; I ask pardon for my offence; I pray you to forgive me.’ If no one has obtained forgiveness from you, it is presumption in me to ask it; but if very many have, then do you, who have encouraged hope, likewise bestow favor.”

Conscious as Cicero was of his desire to do all he could for his friends in their misfortune, he could not bear to be accused of backwardness in their cause,

and when he received a letter from Fadius Gallus, who had been quæstor during his consulship and was now in exile, reproaching him apparently for not assisting him, and upbraiding him with forgetfulness of former services, he wrote to him a sharp and stern reply. It is almost the only letter in the whole of his voluminous correspondence dictated by angry feeling, and we may be sure that the provocation was great, or he would not have adopted a tone and style so unusual with him. It is, I confess, refreshing to find that he could be so angry, for one is almost tired of the language of stately compliment and encomium which characterizes his epistles. But they are proofs of his kindness of heart and of the indefatigable zeal with which he devoted himself to console and assist his friends in misfortune. A noble testimony to this was borne by Cæcina, who was one of the exiles, and for whom Cicero had during Cæsar's absence in Spain by urgent entreaty obtained from Balbus and Oppius, two of Cæsar's most trusted agents at Rome, permission to reside in Sicily. Cæcina said that Cicero's friends knew so well his inclination to serve them, that they felt they might command his exertions, and not merely hope to have the benefit of them. This was in answer to a letter from Cicero, which is worth noticing for the purpose of showing the terms in which he spoke of Cæsar. He described him as mild and merciful by nature, and one who was especially attracted by superior intellect. He never, he said, mentioned Pompey's name except in the most honorable terms, and he had given sufficient proofs of his generosity by the manner in which he had treated his late opponents. He made Cassius

one of his legates, Brutus governor of Cisalpine Gaul, Sulpicius governor of Greece,<sup>1</sup> and restored Marcellus, against whom he had the strongest grounds of displeasure, to all his former honors. To Cicero himself he gave daily proofs of his friendship. No conqueror indeed ever made a more magnanimous use of his power; and if he had not fallen by the hand of assassins, it is impossible to doubt that Rome would have been largely benefited by his rule. He was a large-hearted man, and not only the most brilliant soldier, but the most sagacious statesman of his time. His conduct to his adversaries is above all praise, and contrasts strongly with the bitter malevolence of Pompey, who, if victorious, would have slaked his thirst for vengeance in the tears and blood of Rome. This may not alter our opinion as to the justice of Cæsar's quarrel in the commencement, but it must materially influence our judgment as to whether we ought to regret or rejoice at the issue of the struggle.

It is pleasant to turn from Cicero's political letters to those he addressed to his lively friend Pætus, the last as he called him of those who possessed a sparkle of indigenous Roman wit. He gives him an amusing account of a supper at the house of Volumnus Eutrapelus when he was one of the guests. On the same couch with him were Atticus and Verrius, and below Eutrapelus reclined the fair and frail Cytheris the courtesan.

“ ‘What?’ you will say, ‘Cicero at such a banquet? he, the

<sup>1</sup> Cicero mentions Sulpicius amongst the number of those who had experienced Cæsar's clemency. But I do not understand how he came to require it; for he had opposed the hostile attempts of his colleague Marcellus, and during the Civil War had not joined Pompey.

observed of all observers?' In sooth I did not suspect that she would be there. But, however, not even Aristippus, the disciple of Socrates, blushed when he was reproached with keeping Lais. 'I keep her,' he said, 'but I am not kept by her.' But none of that class attracted me when I was a young man. I need say nothing now that I am an old one. I like a banquet. I say there whatever comes uppermost, and turn mourning into mirth. Did you do better when you made fun of a philosopher who asked you if man wanted anything, and you replied that you wanted a *morning* supper? The pedant thought you would say you wanted to know whether there was only one sky or an infinite number of them. . . . When I pay you a visit you will find me a guest not much addicted to eating, but a good deal addicted to joking."

He half apologized for writing in this strain, and asked, —

"Are you surprised that we enliven our loss of liberty by merriment? But what must I do? I ask you, who have a philosopher for your teacher, should I afflict and torment myself? To what purpose? 'Devote yourself,' you say, 'to literature.' But what else do you think I do? Do you imagine I could exist if it were not for literature? But there are limits to study, although I will not say I feel satiety in it."

And he was well entitled to some relaxation. His intellectual activity this year had been immense, and he had written a great variety of works. Amongst these were his "History of Roman Eloquence," under the form of a dialogue, *De claris Oratoribus*; his "Inquiry into the highest Good and Evil," or *De Finibus Bonorum et Malorum*; his "Analyses of Oratory," or *Partitiones Oratoriæ*; his *Cato*; and his *Orator*, dedicated to Brutus. In addition also to his literary labors may be mentioned the great number of letters of introduction and recommendation he wrote at the request of friends to provincial governors and others. There are nearly forty of

these, and although of no interest now, they are worth reading as specimens of exquisite Latinity. They show also his good nature, and his readiness to help those who sought his assistance.

The most important event in his life this year was his divorce from his wife Terentia. It appears to have taken place in the autumn or perhaps later, but the exact time is not known. Plutarch's account of the matter is as follows:—After mentioning that Cicero intended to write a history of his country, but his purpose was interfered with by various public and private misfortunes, he goes on to say,—“For first of all he put away his wife Terentia, by whom he had been neglected at the time of the war and sent away destitute of necessaries for his journey; neither did he find her kind when he returned to Italy, *for she did not join him at Brundisium*, where he stayed a long time, nor would allow her young daughter, who undertook so long a journey, decent attendance or the requisite expenses; besides she left him a naked and empty house, and yet had involved him in many and great debts. These were alleged as the fairest reasons for the divorce.” Now we may confidently affirm that some of these reasons are untrue. I have shown that Terentia did offer to join her husband at Brundisium, but he would not allow her, and there is not the slightest hint in his correspondence that she had neglected him during the war, or “sent him away destitute of necessaries,” nor is there any trace of a complaint as to her neglect of Tullia. It is clear that Cicero brought no such charges against her in any of his letters. Middleton, whose only authority is Plutarch, has as-

signed reasons which are at least apocryphal. He says that Cicero "at last parted with his wife Terentia, whose honor and conduct had long been uneasy to him; this drew upon him some censure for putting away a wife who had lived with him above thirty years, the faithful partner of his bed and fortunes, and the mother of two children extremely dear to him. But she was a woman of an inferior and turbulent spirit, expensive and negligent in her private affairs, busy and intriguing in the public, and in the height of her husband's power seems to have had the chief hand in the distribution of all his favors. He had easily borne her perverseness in the vigor of health and the flourishing state of his fortunes; but in a declining life, soured by a continual succession of misfortunes from abroad, the want of ease and quiet at home was no longer tolerable to him." To justify this portrait of Terentia, except in one particular, there is no evidence at all in the only place where we should expect to find it — I mean in the letters of Cicero. The exception is her negligence or perhaps misconduct in money-matters. We naturally turn to see what account Cicero himself gives of a matter so deeply affecting his happiness, but unfortunately we find in his correspondence no explicit information on the subject. In a letter to his friend Plancius he alludes to it, but hints at the cause rather than explains it.

"I would not," he says, "have resolved on a divorce, if I had not on my return from abroad found my domestic affairs in as bad a plight as the republic itself. For when I saw that, owing to the wicked conduct of those to whom in consideration of my never to be forgotten benefits my safety and interests ought to have been

dear, there was nothing safe nor free from treachery within my own walls, I thought that I ought to be protected by the fidelity of new connections against the perfidy of the old."

Now what was the wickedness and what the treachery of which he here complains? There can, I think, be no doubt that the charges had some reference to Terentia's conduct in money-matters; for he had previously, as we have seen, accused her of abstracting part of the money which ought to have been remitted to him, and of falsifying the account. This is really all we know of the matter, and the rest is utterly obscure. It must not be lost sight of that in the passage I have just quoted Cicero complains of more persons than one. It is not "her" but "those" of whom he speaks. I cannot help thinking that he had his brother and his nephew also in his eye when he alluded to domestic treachery, for that was the specific kind of injury of which they had been guilty in calumniating him to Cæsar. We know from Plutarch that Terentia steadily denied that her husband had any good grounds for the divorce. And as I have undertaken to defend her, I will quote one or two passages from Cicero's correspondence, which are, I think, conclusive to show that she was an amiable woman, and that Cicero loved her with passionate fondness. One of his letters is thus addressed: "Tully to Terentia, and the Father to Tulliola, his two souls; and Cicero (the son) to the best of mothers and his darling sister." In another he calls her "Light of my eyes — my longed-for darling! from whom all used to seek for help. To think that you should be so harassed — so steeped in tears and misery, and that this should be

caused by my fault!" In another he says, "Attend to your health and be assured that no one is nor ever was dearer to me than you." Again, "Of this be sure, that if I have you I shall not think myself wholly ruined." She was ready to sell her property to assist him in his difficulties, but he dissuaded her for fear of leaving their son penniless. Surely all the evidence we have is in her favor, and for my own part I disbelieve the malevolent gossip of Plutarch about her. She lived to an extreme old age, dying in her hundred and fourth year, and if we may believe Dio Cassius, was thrice married after her divorce from Cicero. But as she was fifty years old when Cicero divorced her, this is most probably an untrue story.

He lost no time in looking out for another wife, and his friends appear to have suggested a daughter of Pompey as a suitable *partie*, but he did not like the idea. As to another lady whom Atticus had mentioned to him, he gave as a reason for not proposing to her that he had never seen an uglier person. His choice at last fell upon a young lady named Publilia, who had a considerable fortune, and of whom, according to Plutarch, he was guardian at the time. She was almost a girl, and he was now sixty-one. It was the union of January and May,<sup>1</sup> and like most such marriages it turned out unhappily.

<sup>1</sup> The late Sir Cresswell Cresswell told me that, having once in court alluded to a case before him as one of the numerous instances of unfortunate marriages "between January and May," a Scotch gentleman wrote to him and asked him, as he was collecting statistical information, whether he could explain why marriages that took place in the period between *January and May* turned out so badly!

✕

At the beginning of the new year B. c. 45 Cæsar was absent from Italy, engaged in carrying on the war in Spain against the sons of Pompey.

Cicero was at Rome during January, where he tells us he was detained by the confinement of Tullia, who gave birth to a son after her divorce from Dolabella.<sup>1</sup> She seems to have been at that time still living in her late husband's house, and at first she was thought to be in a fair way of recovery, but soon afterwards she sank under the effects of her confinement and died. This sad event happened in February, at her father's Tusculan villa, where she was probably removed before alarming symptoms showed themselves. But there is a good deal of obscurity attending her last illness, and we have no account of the particulars from Cicero himself. The first intimation we have from him of the calamity which overwhelmed him is in a letter written to Atticus in March from Astura. So far as we can gather from incidental expressions in his correspondence, he seems to have left his Tusculan villa after his daughter's death, and gone to the house of Atticus at Rome. He tells us that he spent thirty days in some gardens, which probably belonged to a suburban villa of Atticus, and we next find him at his country residence near Astura, writing to his friend on the subject of a monument or shrine which he was anxious to erect to the memory of Tullia. His wish was to place it in some gardens at Rome, where it would be more

<sup>1</sup> The child seems to have lived, and to have been called Lentulus, if we are right in supposing that the passage in the letter *Ad Att.* XIII, "velim aliquando . . . Lentulum puerumvisas," refers to him. We know nothing of his subsequent history. Very probably he died young, and thus the line of Cicero in that generation became extinct.

conspicuous than in the little island near Arpinum, his own birthplace, which at first suggested itself to his mind. His words are: "The Arpinian island is suitable for a genuine apotheosis, but I am afraid it might seem to confer less honor, as it lies out of the way. My inclination, therefore, is for the gardens, which I will look at when I come."<sup>1</sup>

He was terribly stunned by the blow. In Tullia he had garnered up his heart, and her death left a dreary blank in his existence. His affection for her shines like a gleam of light through his letters, and he had clung to her as the prop and stay of his declining years. He tried to occupy himself with study to distract his thoughts, and read such books as heathen philosophy could supply to soothe a mourner's sorrow, but in vain. He composed a work on Consolation, in hopes that in the attempt to minister to the afflictions of others he might assuage his own, but it only increased his pang. His grief, he said, admitted of no consolation. In the morning he wandered into the woods, and buried himself in their solitude all the day long, striving to occupy himself with literature, but overcome with floods of tears. He took a melancholy pleasure in the idea of dedicating a monument to his daughter, and again and again consulted Atticus on its form and the locality where it should be placed.<sup>2</sup> It is not known whether

<sup>1</sup> There is an Essay in the *Mémoires de l'Académie des Inscriptions*, Vol. I. p. 370, by the Abbé Montgault, "*sur le Fanum de Tullia*," in which he investigates the subject, and learnedly illustrates the practice of *Apotheosis* amongst the ancients. There was a kind of sumptuary law regulating the expense of tombs, and a fine was imposed equal to the excess beyond the legal limit.

<sup>2</sup> His idea also was to purchase enough ground to enable him to have a residence there himself as a retreat for his old age, or *ἐγγήραμα*, as he called it.

the design was ever carried into execution, — most probably not, — but if it was, the day may yet come when some fragment of it may be discovered, — a precious relic of the memorial which a father's love consecrated to his child.<sup>1</sup>

Although overwhelmed with grief, Cicero battled manfully against it, and adopted the wisest course that could be taken by one to whom the consolation that revealed religion can supply was unknown. He occupied himself in the quiet of the country and with his books, and wrote incessantly. When he heard that he was blamed at Rome for giving way too much to sorrow and secluding himself in private, he defended himself by showing that in the midst of all his suffering he had been busily employed, and added, with some bitterness, that he had written more than those who censured him were ever likely to read. He told Atticus that he would find, when they met, that his firmness had not deserted him, but his old cheerfulness and gayety were wholly gone.

It will naturally be asked where during all this time was his lately married wife? Was Publilia by his side, the sharer and soother of his affliction? That she was absent is certain, but this was by Cicero's express desire. The union was not a happy one; and if we may believe Plutarch, he was so disgusted by her want of feeling at the death of Tullia, that he very soon afterwards divorced her. If the

<sup>1</sup> There is a wild story told by Baptista Pius in a note to one of Cicero's letters, *Ad Att.* XI. 17, that, in making an excavation amongst the Alban hills, an embalmed body was discovered, which was believed to be that of Tullia, as it was found amongst the sepulchral urns of the Tullian *gens*. In his "Malta Illustrata" Abela mentions an inscription found at Malta, in the following form, —

TULLIOLA. M. TULLII. F.

real motive for the marriage was her money, his aversion to her, from whatever cause, must have been indeed unconquerable, for, of course, he would have to refund the whole of her dowry. We find him writing to Atticus in March in a fright lest his wife with her mother and brother should come to Astura to pay him an unwelcome visit. He says that he had received a letter purporting to come from her, in which she prayed to be allowed to accompany her relatives. He suspected, however, that her mother had really written in her daughter's name, and at all events he peremptorily forbade any of them to come, as he wished to be alone. He begged Atticus to give him timely notice if they left Rome, that he might be out of the way when they arrived and avoid them. Such were the terms on which he stood with his new relations!

It was during his stay at Astura that the celebrated and beautiful letter was addressed to him from Athens by Servius Sulpicius,

“The Roman friend of Rome's least mortal mind,”

in which he strove to comfort the mourner by arguments drawn from the vicissitudes and decay of all earthly things. It has been so often quoted that the reader is doubtless familiar with it. Lucceius the historian also wrote him a letter of consolation, which he acknowledged with grateful thanks. Lucceius tried to make him take a more hopeful view of public affairs, but Cicero confessed that he thought them desperate. He was pleased by the allusion in the letter to his own services, and said that he had given to his country not more than his duty required, but

certainly more than others had a right to demand from him. "You will pardon me," he added, "in being in some degree my own trumpeter." In another letter to Luceius he said he was ashamed of life, and the books he studied seemed to upbraid him for enduring it, for it was nothing but a prolongation of misery.

In one of his letters to Atticus, written in March, Cicero alludes to his will, and says that Terentia ought, like himself, to make some provision by hers for their little grandson, to whom Tullia had given birth. His words are, "Let her do like me. I will allow my will to be perused by any one she pleases to name; she will find that I could not have acted more liberally towards my grandson than I have done." There can be no doubt that he greatly distrusted Terentia's good faith in money-matters, and he speaks of her as wanting in sincerity and steadiness of purpose.

His son Marcus wished to go to Spain and serve under Cæsar in the campaign against Pompey's sons. Cicero tried to dissuade him, pointing out how inconsistent it would be for him to bear arms against a cause for which he had lately fought, and also how annoyed he would feel on finding his cousin a greater favorite with Cæsar than himself. The young man gave up the idea of Spain and went to Athens. His father consulted Atticus upon the sum he should allow him for his expenses, and proposed to set apart for the purpose the rents of some property he had on the Aventine Mount and in the district of Rome called Argiletum. He mentioned the names of several young men of good family who were going

to Athens, and said he was sure that they would not spend more. He added that it was not at all necessary to keep a horse at Athens, and for the journey there were more than enough horses at home.

He composed a letter to Cæsar in the form of a political essay, taking as his model Aristotle's work *περὶ Βασιλείας*, which was addressed to Alexander, but he was far from feeling satisfied with his own performance, and he begged Atticus to submit it to Cæsar's friends at Rome before it was sent to him. They suggested so many alterations, that if they were adopted the letter must be rewritten, and rather than do this, Cicero abandoned the idea of sending it at all.

A curious case of imposture occurred about this time. A man whose real name was Herophilus or Amasius, and who was by trade a farrier or veterinary surgeon, gave himself out as the grandson of the great Marius, and applied to Cicero to undertake his case and assist him in establishing his relationship. He appealed to him as a connection, and as one whose poem on Marius showed the interest he took in that illustrious name. Cicero, however, declined the task, and, with a touch of sarcasm in his answer, told him that he did not want an advocate, as all power was now in the hands of Cæsar, "a most excellent and generous man," and his own relation besides! For as Marius had married Julia, who was Cæsar's aunt, if the story of the claimant was true, he and Cæsar were, of course, relatives. The result was that the impostor was banished from Italy, and afterwards, on his return to Rome, was killed in a city tumult.

Cicero spent the summer and autumn in the country at one or other of his villas at Antium, Arpinum, or Tusculum. He shunned society, and occupied himself incessantly in writing and study. He cared for literature now much more than for politics, and we find him keenly arguing a point of criticism with Atticus as to the right use of the word *inhibere*, and declaring that this interested him far more than public affairs. In the same letter he half apologizes for occupying himself with apparent trifles, but adds that such things then were of chief importance to him. He felt indeed that his occupation as a statesman was gone, and endeavored to forget the ruin of all his hopes for his country in literary pursuits. He made Atticus, as usual, his confidant, and used to send his compositions to him to be copied by some of his clever clerks, with strict injunctions, however, not to allow them to be published or get abroad without his own permission.

He recast the form of his Academic Dialogues, which originally consisted of two books, called Catulus and Lucullus, and turned them into four. He changed also the speakers, who had been Catulus, Lucullus, and Hortensius, and introduced instead Cato, Brutus, and Varro, as persons the character of whose minds would better suit the arguments assigned to them. He dedicated the whole work to Varro, one of the most learned of the Romans, and for those times really a monster of erudition.

He also completed his work *De Finibus*, an inquiry into the chief objects or *ends* at which men ought to aim to secure happiness; making Torquatus represent the Epicurean school, Cato the Stoic,

and Piso the Peripatetic. Another composition that belongs to the same period is his *Hortensius*; a dialogue in which he upheld the claims of Philosophy and Literature as contrasted with the study of Eloquence. It was the book, now unhappily lost, which attracted the attention of St. Augustine in his early years, and made him devote himself to philosophy. In the month of August we find him at his Tusculan villa, busy before daybreak with the second part of his *Tusculan Essays*, in which he combats the doctrine of the Epicureans that pain is the chief evil.

In the course of the summer he had divorced himself from Publilia, and employed the good offices of Atticus to arrange with her brother Pubilius about the repayment of her dowry. Not a syllable occurs in his letters to throw light on the cause of the separation, and it is remarkable with what absolute reserve on all domestic topics his letters at this period are written. Although allusion is frequently made to the loss of Tullia, and he constantly expresses his earnest desire to erect a shrine to her memory, her *name* is never once mentioned; and with regard to Terentia and Publilia, the tone of his correspondence is almost as enigmatical as if he had written in cipher. Atticus, of course, understood it all, and Cicero was writing to him with no idea that a distant posterity would be anxious to discover the minute details of his domestic life. Very probably the circumstances were so painful that he could not bear to dwell upon them. But whatever may have been the reason, the fact is certain that we can only guess at many things which we might have expected to find fully explained in his confidential correspondence

with his most intimate friend. Even the style of his letters at this period is more difficult and abrupt than usual, and it may be safely said that the least interesting portion of them is that which embraces the year of his life on which we are now engaged.

In one or two of them a lady called Cærellia is mentioned, about whom it is right to say a few words, on account of an absurd scandal against Cicero connected with her name. She seems to have been a blue-stocking dame, who admired his writings, and took the trouble to copy or get copied some of his philosophical works. In the first letter where her name occurs he says to Atticus : —

“I forgot to mention that Cærellia, who has a wonderful passion for philosophy, is copying some of my works from those in your possession. She has the treatise *De Finibus*. But I can assure you (although I may be mistaken, for to err is human) that she has not any of my copies, for they have never been out of my sight. So far from my having two copies made, hardly one was completed. However, I do not think that it was from any fault of your copyists, and I wish you to understand this. For I omitted to mention to you that I did not wish them to be published yet.”

According to Dio Cassius, the tribune Fufius Calenus, in an abusive speech against Cicero, to which I shall hereafter more particularly allude, charged him with putting away his second wife Publilia in order that he might carry on undisturbed an intrigue with Cærellia, and he mentioned some letters of an amatory nature, which had appeared written by Cicero to her, and which contained expressions offensive to delicacy. The best answer to this scandal is to state the ages of the respective parties at the time when the alleged intrigue was going on. Cicero was sixty-

two, and the seductive dame was seventy! If Fufius made the speech he must have been laughed at by his audience, for he mentioned the age of the frail lady. There can, I think, be little doubt that the letters were spurious. Very probably there was a correspondence, just as there was between Châteaubriand and Madame Recamier; but it is ridiculous to suppose that it was of the nature that malevolence attributed to it. We must never forget the unbridled licence of invective in which the ancients indulged when they wished to damage an opponent, and this applies to many of the attacks made upon others by Cicero himself. The good offices of Cærellia were employed by Publilia's family, if not by Publilia herself, to induce him to take that lady back again after their divorce, but he would not listen to the proposal.

In one of his letters about this time he declares that his property gave him much more trouble than pleasure, for he felt more distress at having no one to whom he could leave it than gratification in the enjoyment of it. He alludes here to the twice widowed state to which he was reduced by his two divorces, and to the loss of his daughter. But the expression is remarkable, considering that his son was still living. Perhaps he meant that he had little satisfaction in looking upon him as his heir, as he felt uncertain how the young man would turn out, for his conduct at Athens at first caused his father some uneasiness. Cicero was still on indifferent terms with his brother, and his nephew, young Quintus, continued as hostile as ever, spreading all kinds of calumnious reports, as, for instance, that his cousin Marcus was harshly treated by his father, and that

his uncle was utterly estranged from Cæsar, who ought to be on his guard against him. Upon which Cicero remarks, with some bitterness, that this might be a formidable charge if he was not assured that King Cæsar knew very well that he had nothing to fear from a man of such little determination as himself. That he was thoroughly discontented with Cæsar, however much prudent policy made him conceal his real sentiments, is plain from many passages in his letters. In one of them, written in September, when he was at his Tusculan villa, he expresses his joy that the people had refused to applaud the statue of Victory when it was carried in a procession with an image of Cæsar close beside it. The reason was, he said, because Victory had a bad neighbor.

At the end of August or beginning of September he wrote and sent a letter to Cæsar, which is not extant; but he describes it as written without flattery, and in a tone which one equal might address to another, but yet such as Cæsar would read with pleasure. No one could do this with more skill and adroitness than himself.





JULIUS CÆSAR.

## CHAPTER XX.

## DEATH OF CÆSAR.

ÆT. 63. B. C. 44.

CÆSAR returned to Rome in October from his victorious campaign in Spain. There Cneius and Sextus, the sons of Pompey, had, amongst the mountain fastnesses of what was afterwards called Granada, taxed his resources as a general to the utmost, and fought with a courage and determination such as had not elsewhere been displayed during the contest. The battle of Munda on the seventeenth of March terminated the war, but Cæsar gained it with great difficulty. Cneius fell in the engagement, but Sextus escaped. Cæsar returned to Rome, and celebrated his last triumph with great pomp and magnificence, amusing the people with gladiatorial combats and sham fights, and entertaining them at public tables for several days. He brought home enormous treasures. We are told that they amounted to more than six hundred million sesterces, that is, upwards of five millions sterling, and he gave each of the soldiers a donation of about a hundred and seventy pounds. He proclaimed an amnesty for the past, and laying down the consulship which he had assumed without a colleague when he gave up the dictatorship, he appointed as consuls for the remain-

der of the year Q. Fabius and C. Trebonius. Fabius died on the last day of the year, and Caninius Rabilus was nominated in his place for the few remaining hours, which gave rise to one of Cicero's jokes, who said that he was a consul of such surprising vigilance that he never slept once during his consulship. For it terminated at midnight, and next day, on the first of January, Cæsar and Antony succeeded to the office.

Cicero now undertook the last cause which he ever pleaded. The occasion was this. We may remember that when he was proconsul of Cilicia he sent his son and nephew with their tutor Dionysius to pursue their studies at the court of Deiotarus, who was originally tetrarch of Galatia, and had been created by the Senate King of Armenia. During the Civil War he had espoused the side of Pompey, and Cæsar, after his victory over Pharnaces, had deposed him and deprived him of his kingdom of Armenia, but allowed him to retain the royal title conferred upon him by the Senate. The conqueror was hospitably entertained by Deiotarus, and received from him, notwithstanding the loss of his dominions in Armenia, some magnificent presents. After Cæsar's departure, Castor, a grandson of Deiotarus, conceived the idea of supplanting his grandfather, and suborned Philippus, a medical attendant of the court, to accuse Deiotarus of having practised against the life of his guest during his stay in Armenia. Castor sent Philippus to Rome to prosecute the charge against Deiotarus, who was there represented by ambassadors, and they entreated Cicero to undertake their master's defence. He consented, and the

cause was heard before Cæsar himself, sitting at his own house.

When the case was over, the Dictator postponed judgment, intimating his intention, when he undertook the Parthian campaign, to pursue the inquiry on the spot. But before that the dagger of Brutus struck him down.

On the twentieth of December Cæsar became Cicero's guest at his villa near Puteoli, and a letter to Atticus gives an interesting account of the visit. It is worth quoting at length :—

“What a troublesome guest,” he says, “I have had! But I have no cause to regret what happened, for all passed off pleasantly enough. But when he had arrived at the house of Philippus in the evening of the second day of the Saturnalia, the villa was so filled with soldiers that there was scarcely room at a dining-table for Cæsar himself to sup. There were a thousand men. I was truly puzzled to know what I could do the next day, but Barba Cassius came to my rescue, and he gave me a body of guards. A camp was pitched in the fields, and the villa was protected. Cæsar stayed with Philippus on the third day of the Saturnalia until nearly one o'clock in the afternoon, and admitted no one to his presence. I imagine he was going over accounts with Balbus. He afterwards took a walk on the shore, and at two o'clock had a bath. He then listened to an epigram on Mamurra without changing a muscle of his countenance, and next was rubbed with oil, and took his place reclining at the banquet, intending to have an emetic afterwards.<sup>1</sup> He therefore both ate and drank without scruple, and enjoyed himself. It was a capital dinner, and well served, and not only that, but

‘Seasoned with well-digested good discourse.’

Besides, his retinue was liberally entertained at three tables. His inferior freedmen and slaves had all they could want. The better class were treated sumptuously. Not to make a long story, I acquitted myself like a man. However he is not the kind of

<sup>1</sup> ἐμετικῶν agebat.

guest to whom you would say, 'Pray, my good friend, pay me another visit on your return.' Once was enough. There was no conversation on serious topics, but a good deal of literary talk. Why are you so anxious? He was delighted, and showed that he enjoyed himself. He said he would spend one day at Baia and the next at Puteoli. I have now given you an account of the visit; or shall I call it — billeting? But it was, as I have said, not disagreeable to me. I shall stay here a little while, and then go to my Tusculanum. As he was passing by Dolabella's villa, the whole body of his guards closed up on the right and left of his horse, and this they did nowhere else. So I heard from Nicias."

On the first day of the new year Cæsar assumed the consulship, with Antony as his colleague. He intended to leave Rome in a few weeks in order to carry on a campaign against the Parthians, the constant and troublesome enemies of Rome on her eastern frontier. Like Napoleon, he felt that a succession of victories was necessary to his position; and having vanquished every opponent at home, he wished to gain fresh laurels by carrying his victorious eagles to the banks of the Euphrates. The Senate met as usual on the first of January, and Cicero, with the rest, was present when Cæsar announced his intention of nominating Dolabella to succeed him as consul when he himself set out on his Parthian expedition. This was strongly opposed by Antony, and he went so far as to declare that, when the time came, he would use his power and influence as augur to invalidate the election. I use the word election, for it appears that the form of voting by the people in their centuries was still kept up, although, in point of fact, Cæsar's wish was law, and whoever was nominated by him was certain to be chosen by the people. It shows some spirit in

Antony that he ventured to oppose the declared intention of Rome's mighty master, and it shows also magnanimity in Cæsar that he was not offended at the opposition. But he took upon himself to dispose absolutely of the prætorships. Amongst these, the highest office — indeed the only one of any real importance — was that of *prætor urbanus*, the rest being subordinate both in dignity and power; and both Marcus Brutus, and Cassius, who were brothers-in-law (Cassius having married Junia, the sister of Brutus), were anxious to hold it. The decision rested with Cæsar, who, according to Plutarch, after deliberating with his friends, determined in favor of Brutus, saying, "Cassius has the stronger claim, but we must let Brutus be first prætor." And he gave Cassius one of the other prætorships, in hopes that it would satisfy him; but his pride was wounded, and it is supposed that it was in consequence of this slight that he determined to engage in the conspiracy against Cæsar's life. Cæsar was not without suspicions of him, and had also misgivings about Brutus himself — if the story is true, that, when he was told that Antony and Dolabella were meditating mischief he said, "It is not the fat and long-haired men that I fear, but the pale and the lean," alluding to the spare figures of Brutus and Cassius.

Let me have men about me that are fat;  
Sleek-headed men, and such as sleep o' nights.  
Yon Cassius has a lean and hungry look:  
He thinks too much: such men are dangerous.

But his generous nature showed itself in the answer he gave when some one, who perhaps had a vague idea of approaching danger, advised him

to be on his guard. The reply of the lion-hearted man was, "I had rather die than be the subject of fear."

He had reached the highest pinnacle of power, and in all but the name was King of the Roman world. Rome was now changing from the position of an Imperial city dominating over Italy and the world, to that of a capital in which Italy and the world had part. But Cæsar's ambition was not satisfied unless he could gain the title which for so many centuries had been dormant at Rome. He wished to be *Rex* not only in reality but in name; and an ingenious mode was hit upon to feel the pulse of the people and see how far they were disposed to bear it. There was a wild festival at Rome called Lupercalia, which was celebrated in the month of February, when young men of good family used to run more than half naked through the streets, and strike with thongs of leather every one they met. While this carnival was going on, Cæsar took his seat above the Rostra in the Forum, and dressed in his triumphal robes, amused himself with looking on at the sport. Antony, though consul, was not ashamed to appear amongst the runners, and twisting a garland of bay-leaves round a diadem or coronet, he approached the Rostra, where, being lifted up by his riotous companions, he tried to place it on Cæsar's head. He drew back to prevent it, but the spectators were shrewd enough to observe that the action was rather that of coy than indignant refusal. The people thundered applause when they saw Cæsar put away the crown. Again Antony made the attempt, and again it was unsuccessful. The shouts became louder, and Cæsar saw

that there could be no mistake as to the real feelings of the populace. The offer of the crown was at least premature. He rose hastily from his seat, and pretending to misconstrue the clamor, laid bare his neck, crying out that he was ready to receive the blow if any one there desired to strike. He showed, however, how little he was pleased that the *ruse* had failed, for when the garland was afterwards placed upon the head of one of his statues and removed by order of some of the tribunes, he deprived them of their offices, on the pretence that they were trying to stir up sedition against him.

The next plan resorted to by his friends was to make the Sybilline books play a part subservient to their purpose. It was only necessary to bribe the guardians, and they could make their oracles speak as they pleased. They spread a report that in their mystic leaves was contained a prophecy that the Parthians could only be conquered by a king. With a people so superstitious as the Romans, it is impossible to say what effect this stratagem might have had, if a few bold men had not been thereby warned that the time was come for them to put in execution a design which they had for some weeks harbored of taking Cæsar's life.

Of the particular details of the great conspiracy we know little. It was, of course, formed in secret and shrouded in mystery. Cassius seems to have been the first who conceived the plan of assassination, and he was extremely anxious to engage Marcus Brutus in the plot, whose character stood perhaps higher than that of any man at Rome, and whose

name would be a tower of strength on which to rely in the attempt to carry out so desperate an enterprise. Several, we are told, to whom Cassius ventured to communicate his design made it a condition that Brutus should join them. He was cautiously sounded, and at last consented to take part in the conspiracy. The act of heroism by which his wife Porcia, a daughter of Cato and his own cousin, forced him to confide the secret to her is well known. No less than sixty persons are said to have been privy to the plot, of whom the best known, besides Marcus Brutus and Cassius, are Decimus Brutus, Trebonius, Casca, Tullius Cimber, Cnæus Domitius, and Servilius.

That Cicero was not in the number is certain. Antony afterwards, when the tide of popular feeling had turned against the murderers, accused him of being one of the conspirators, but Cicero strongly denied it. And this we may well believe, not because he would have shrunk from the deed as wrong, for, as we shall hereafter see he extolled it to the skies, but because he was not the kind of man who would be likely to be taken into the counsels of those who were engaged in an enterprise that was full of danger, and which required nothing so much as nerve and resolution. Plutarch tells us expressly that the plot was concealed from Cicero, "lest to his own disposition, which was naturally timorous, adding now the wariness and caution of old age, and by his weighing as he would every particular that he might not make one step without the greatest security, he should blunt the edge of their forwardness and resolution

in a business which required all the dispatch possible.<sup>1</sup>”

A meeting of the Senate was summoned for the fifteenth — the Ides — of March, and it was currently believed that on that day a proposal would be made to declare Cæsar king, in conformity with what was said to be contained in the Sibylline books. The conspirators saw that there was no time for delay, and the blow must be struck at once. The place where the Senate was to meet was the *Curia Pompeii*, a building adjoining the portico which formed part of the splendid theatre erected by Pompey on the west of the Capitol, not far from the southern extremity of the Campus Martius. Plutarch seems to confound the curia with the portico. His words are, — “The very place, too, where the Senate was to meet seemed to be by Divine appointment favorable to their purpose. It was a portico, one of those joining the theatre, with a large *exhedra* or recess, in which there stood a statue of Pompey, erected to him by the commonwealth, when he adorned that part of the city with the porticos and the theatre.” But there certainly was a building called *Curia Pompeii* distinct from the portico, and it was in this that the deed of violence was done.

When the fatal morning came the great body of the conspirators assembled at the house of Cassius, and accompanied his son, who was on that day to assume the *toga virilis*, to the Forum, from which they afterwards hastened to the Senate-house with daggers concealed beneath their robes. Decimus Brutus was about to exhibit some games, and,

<sup>1</sup> Plutarch in *Brut.*

availing himself of this pretext, he assembled a large body of gladiators, and had them in readiness in case a rescue was attempted. In order to disarm suspicion, Brutus, and some of the other conspirators who were prætors, seated themselves early on their tribunals in the Forum, and proceeded to dispose of cases, as if nothing unusual was going to happen. We are told that when Marcus Brutus decided one of the causes that came that morning before him, the party against whom he had given judgment declared with some violence that he would appeal to Cæsar, upon which Brutus calmly said, "Cæsar does not hinder me, nor shall he hinder me, from deciding according to law." He then left and went to the Senate-house.

At the last moment the secret was on the point of being betrayed, and Cæsar might have been warned in time. A person came up to Casca, as he stood in the group waiting for the arrival of their victim, and taking him by the hand whispered into his ear,— "You concealed the secret from us, but Brutus has told me all." Casca naturally supposed that the stranger was privy to the plot, and his countenance showed how much he was surprised. A word might have escaped him which would have been fatal to the plan, when the other relieved him from his anxiety by saying, in a laughing tone, "How came you to be so rich of a sudden, that you could stand an election for the ædileship?" It was obvious that the secret to which the man alluded was not the terrible one of which all their minds were full, and we can imagine how Casca must have rejoiced that he had not betrayed himself by an imprudent answer.

Another incident occurred, which showed that the plot was known more widely than the conspirators imagined. A Senator named Popilius Lænas came up to Brutus and Cassius, and, saluting them with more than usual earnestness, whispered to them, — “My wishes are with you, and I hope you may accomplish your design. But I advise you to make haste, for the thing is now no secret!” It was evident that not a moment was to be lost.

But where in the mean time was Cæsar? The day was wearing on, and he had not appeared. What was the cause of the unusual delay?

If we may believe the concurrent testimony of many ancient writers, several omens of sinister import happened in the night and morning before his assassination, which seemed sent by Providence to warn him of his impending doom. We need not too curiously inquire whether the account is true, or whether they owed their origin to the superstitious imagination of the Romans, excited to the utmost as it would be by dwelling upon the circumstances of the terrible event after it had taken place. It is a fact established beyond the possibility of doubt, that in some mysterious way a presentiment does often exist of approaching evil, and the very reverse often happens of that which Shakspeare declares to be the rule, when he says, —

Against ill chances men are ever merry ;  
But heaviness foreruns the good event.

His wife Calpurnia dreamed that the house in which they slept had fallen, and that her husband was wounded and fled to her arms for refuge. The armor dedicated to Mars, which as Pontifex Maxi-

mus he kept in his dwelling, rattled during the night, and the door of his bed-chamber opened of its own accord. In the morning when he attempted a divination by feeding poultry, according to the old Roman custom, the omens were unfavorable; and it is said that he determined not to leave his house that day. The impatient conspirators sent a message to tell him that the Senate was assembled, but still he did not come; and at last Decimus Brutus went off to see him personally and say that his presence was urgently required. After such a summons his lofty soul disdained to be deterred by the paltry omens that might have frightened a weaker mind; and, accompanied by Brutus, he left his home and got into a litter to be carried to the Senate-house. As he passed the threshold his statue, which stood there, fell to the ground and was broken to pieces. Even yet he might have been saved, if he had taken the trouble to read a paper which as he passed along was thrust into his hand by some one in the street. It contained a revelation of the plot; but Cæsar, thinking probably that it was merely a petition, such as he was constantly in the habit of receiving, and which was of no pressing importance, thrust it unopened into the folds of his robe. And we are told that he said gayly to a soothsayer whom he met, and who had warned him to beware of the Ides of March, "You see the day you feared has come, and I am still alive." — "Yes," answered the other, "it has come, but it has not yet passed." If this story is true, we must suppose that the man had some inkling of the design of the conspirators, or perhaps was actually in the plot, and hoped to get credit for the gift of

prophecy, and so enhance the reputation of the science in which he was an adept.

It had been seriously debated amongst the conspirators whether Antony should not be murdered at the same time as Cæsar, and the majority wished to kill him. But Brutus would not consent, thinking that it would give an unfavorable complexion to the character of their design, which ought to be limited solely to the removal of the one man who had destroyed the liberties of Rome. Plutarch says that he insisted that an action undertaken in defence of right and law must be kept unsullied and pure from injustice. There can be no doubt that in this he made in point of policy a capital mistake, and no one was more fully impressed with the conviction afterwards than Cicero himself. It was, however, thought advisable to keep Antony away from the Senate-house while the deed was being done, for, armed as he was with consular authority, his presence might in some way have embarrassed the execution of the plan, or at all events have endangered the safety of the conspirators. Trebonius, therefore, went out to meet him on his way and engage him in conversation, before he entered the chamber where the Senate was assembled. In his second Philippic Cicero distinctly declares that Antony was an accomplice, and that Trebonius and he met by a preconcerted arrangement. By this time Cæsar had reached the door, and it is affecting to read in the ancient writers the way in which the last moments of the doomed Dictator were spent. The Senators seem to have been lounging in the portico when his litter came up; and as he got out of it Popilius Lænas approached him and

kept him for some time engaged outside the door in close conversation, in a low tone. This alarmed the conspirators, for they knew from what Popilius had said to Brutus and Cassius a short time before, that he was in the secret, but were by no means sure how far they might trust him. We are told that they were ready to destroy themselves if they were prematurely discovered, and had their daggers in readiness for the purpose while Popilius was talking to Cæsar. It is strange that they did not rather rush upon their victim and make sure work at once. But Popilius kissed Cæsar's hand — the kiss of Judas — and left him, and as Cæsar turned to enter the Senate-house they felt that so far they were safe.

In the mean time the great body of the Senators had gone in and taken their seats. As Cæsar entered they all rose in a body to receive him, and the conspirators kept close to him as he walked up to his chair, talking familiarly with him as was usual, for he was the most affable of men. As he sat down, some say just under the statue of Pompey, which now stands in the Palazzo Spada at Rome, Tullius Cimber began to petition him to recall his banished brother, and the others joined in the entreaty, pressing close upon him as if for the purpose of urging more eagerly their request. Their importunity at last became disagreeable, and Cæsar, to get rid of it, rose rather abruptly from his seat. As he did so Tullius snatched at his robe, and pulled it from his shoulders. In an instant a dagger glittered in the air, and Casca stabbed him in the shoulder. The wound was slight, for Casca was too nervous to send the blow home, and Cæsar, seizing the handle of the

weapon, cried out, "Casca, you villain, what are you about?" But dagger after dagger was now plunged into his body, and when he saw the hand of Brutus, whom he had loved with a warm affection, uplifted to strike, he let go Casca's arm, which he had grasped, and folding his robe around him submitted without a struggle to his inevitable fate.<sup>1</sup> So eager were the assassins to kill him, that, in the blind confusion of the moment, some of them were themselves wounded, and Brutus was cut in the hand, while the clothes of most of them were besmeared with blood.

It is certain that Cicero was present at the murder. In one of his letters to Atticus he expresses the joy he felt at witnessing the deed of blood. In his eyes regicide was no crime, and he exulted in the act as one of the most glorious in the annals of fame. The terms in which he speaks of it show that all pity for the man was lost in detestation of the tyrant. He believed that the interests of his country required the sacrifice, and he felt no more for the victim than Charlotte Corday did when she plunged her dagger in the breast of Marat.

We can imagine the stupefied horror with which the great body of the Senators who were not in the secret gazed upon the scene. They rushed out of the building when it was over, and fled in wild alarm along the streets. When Antony heard what had happened he threw off his consular robe in fear of being recognized, and, putting on the dress of a slave who was in attendance or happened to be near, he

<sup>1</sup> According to Dio Cassius he cried out, "You too, Brutus, my son?" If he did use the expression, it may have meant more than a mere term of affection, for scandal declared that Brutus *was* his son, — the fruit of an *amour* between his mother Servilia and Cæsar.

hurried home and hid himself in a place of concealment. Plutarch says that at first all places were filled with cries and shouts, and the wild running to and fro occasioned by the sudden surprise and passion that everybody was in, increased the tumult in the city. The assassins placed a cap as the symbol of liberty on the point of a sword, and carrying it aloft marched up to the Capitol followed by the gladiators of Decimus, upon whom they relied for protection in case they were attacked. But at first they had no fears of the populace turning against them, and expected that there would be a general rising in their favor, when it became known that the tyrant, as they called Cæsar, was no more. As Brutus went along with his bloody dagger in his hand he shouted the name of Cicero, calling upon him as the representative of the cause of the Republic, and congratulating him on the restoration of liberty.<sup>1</sup> Several of the Senators, amongst whom were Cicero himself, and Lentulus Spinther, Favonius, Aquinus, Dolabella, and Pasticus, followed them up to the Capitol, where a crowd of people attracted by curiosity soon assembled, and Brutus addressed them in a speech which was loudly applauded. The chief cause of anxiety to the conspirators at this moment was the presence of a large body of Cæsar's veteran troops in the island of the Tiber, not far from the spot where the murder was committed, who were under the

<sup>1</sup> In the second Philippic Cicero assumes that this was done because Brutus thought the only parallel achievement was his own glorious consulship. "Perhaps," he says, "the cause of his appealing to me was because, when he had performed an exploit similar to mine, he called on me to bear witness that he had become a rival of my renown." That consulship was never out of his thoughts for a moment.

command of Lepidus, the Master of Horse ; and it was impossible not to fear that they might in a sudden impulse of fury rush forward to avenge the death of their former general. No movement, however, of the kind appeared, and, reassured by the acclamations of the crowd on the Capitol, the assassins ventured down into the Forum, where Brutus ascended the Rostra and again addressed the multitude. He was well received, and all seemed to be going on favorably until Cinna, who was one of the prætors, rose to speak. He attacked the memory of Cæsar in language which so exasperated the mob that the whole body of conspirators, afraid of some violent outbreak, thought it prudent to retire and take up again their quarters in the Capitol.

Cicero advised that Brutus and Cassius should, as prætors, take upon themselves to summon a meeting of the Senate in the Capitol for the following day. The proper officers to convoke the Senate were the consuls ; but one was lying a corpse on the floor, and the other, Antony, had fled, and was nowhere to be found. This was no time to stand on strict legal formalities, and the prætors had sufficient authority to act in such an emergency. Cicero's idea was that if the Senate could be got together, measures might be taken to establish a strong government and prevent the deplorable consequences which were likely to ensue by allowing the vessel of the State to drift in so stormy a sea without chart or pilot. He always afterwards regretted that his advice had not been followed, and it seems to have been the wisest course which, under the circumstances, could have been adopted. It was of the last importance to get the

machinery of regular government into play before a reaction should take place, and time be given to the partisans of Cæsar to recover from the terror into which they were thrown by his destruction. He was however overruled. Perhaps it was feared that the Senate might show itself hostile, or perhaps there was an unwillingness to take any step which might show distrust of Antony, whom they yet hoped to win over to their side. It is said, indeed, by Plutarch, that he had been sounded by Trebonius to see whether he would join in the conspiracy, and "very well understood him, but did not encourage it; however, he said nothing of it to Cæsar, but kept the secret faithfully." Perhaps so ambitious a man was not sorry to have Cæsar removed, well knowing that when the stage was left clear no one had so good a chance of climbing into the vacant seat as himself. He played his part with admirable skill, and by his profound dissimulation he for some time deceived everybody but Cicero, who, whatever he might think it politic to say in public, always distrusted him, and felt from the first that as long as Antony lived all that would be gained by Cæsar's murder was a change of masters.

Antony soon recovered his presence of mind when he found that his life was safe, and the first step he took was to secure Lepidus, who, in the night that followed the assassination, had occupied the Forum with his troops. For this purpose he hastily concluded an engagement, by which he promised to give his daughter in marriage to Lepidus's son, and to confer upon Lepidus himself the high office of Pontifex Maximus, which was vacant by Cæsar's

death. It had been proposed by the conspirators, when they took refuge in the Capitol, that Cicero should go to Antony and endeavor to persuade him to come forward and defend the Republic. But Cicero declined the errand, saying that he knew Antony too well, and that he would promise everything while under the influence of fear, but when the danger was over would show himself in his true colors. Next day Antony left his house, and negotiations took place between him and the party in the Capitol, but without any immediate result. In the mean time three of Cæsar's slaves had removed the dead body of their master from the spot where it lay, and carried it to his usual residence.

Antony next took an important step. He seized the whole of Cæsar's papers, and made himself master of his treasure, which had been deposited for safe custody in the temple of Ops, and amounted to the sum of seven hundred million sesterces, about six millions sterling. He summoned the Senate to meet him in the temple of Tellus on the following day, the seventeenth of March, and took care to guard all the avenues of approach by a strong body of soldiers; but none of the actual conspirators ventured to attend. Cicero was there and made a long speech, pleading earnestly for a general amnesty, and advising that all the appointments made and directions given by the deceased Dictator should be ratified and carried into execution, as the best mode of preserving peace. Piso, Cæsar's father-in-law, proposed that the contents of his will, which was in the custody of the Vestal Virgins, should be made known, and that he should have a public funeral. To both these resolutions the Senate agreed.

On the same day Brutus and Cassius invited the people to meet them on the Capitol, and declared to the assembled crowd that they would hold sacred the promise made by Cæsar to his soldiers that he would make a distribution of lands amongst them.

In the mean time Dolabella, who, as I have mentioned, had previously been nominated consul by Cæsar, to succeed him when he left Italy to conduct the war against the Parthians, assumed, much to the disgust of Antony, the consular office; and the two consuls summoned a meeting of the people in the Forum for the following morning, the eighteenth of March. Cicero attended and spoke again in favor of an amnesty, for which the Senate had voted on the previous day. The conspirators were invited to come down from their stronghold on the Capitol, but declined to do so until both Antony and Lepidus each sent a son to them, to be kept there as hostages for their safety. They then ventured to descend into the streets, and in token that a reconciliation was effected and the past buried in oblivion, Brutus supped that evening with Lepidus at his house, and Cassius with Antony. A meeting of the Senate was next held, and the allotment of provinces, as they had been already designated, was formally confirmed. Macedonia was given to Brutus, and Syriâ to Cassius. The will of Cæsar was read out publicly in the Forum, and its liberality to the populace produced a marked effect. This feeling was increased to a state of uncontrollable excitement when the funeral procession set out along the streets. The dead body was carried on a bier covered with a pall,<sup>1</sup> and when

<sup>1</sup> According to one account a wax effigy of the murdered Dictator was carried on the bier.

it reached the Forum Antony mounted the Rostra, and throwing off the cloak showed the blood-smeared corpse to the people, with its gaping wounds all exposed to view. He then addressed the horror-stricken crowd in that memorable speech which has been embalmed for us by Shakspeare in lines in which, as in the whole of his drama of Julius Cæsar, the imagination of the poet has observed faithfully the accuracy of the historian. It had been intended to burn the corpse on a funeral pile in the Campus Martius, but the people in a transport of fury collected hastily a heap of wood in the Forum by pulling down some of the neighboring shops, and placing the body upon it set it on fire.<sup>1</sup> They then snatched the burning brands in their hands and rushed along the streets to set fire to the building where the murder was committed, and also the houses of the principal conspirators. On their way they happened to meet an unhappy man, Helvius Cinna, one of the tribunes, and, mistaking him for his namesake Cinna the prætor, who had distinguished himself by his intemperate speech against the memory of Cæsar, they tore him to pieces on the spot.

This was the turning-point of the crisis. Hitherto it had been uncertain which side the populace would take. Even Lepidus, at the head of a body of veteran troops who were attached by every tie to Cæsar, had maintained a cautious neutrality, and declared that he would abide by the decision of the Senate. It was, however, now clear that the current of public opinion was setting in strongly against the conspira-

<sup>1</sup> Augustus afterwards built a temple on the spot, dedicated to the memory of Julius Cæsar. See App. *Bell. Civ.* II. 148.

tors, and their position became critical in the extreme. But Antony proceeded with wary caution. His great object was not to commit himself decidedly on either side, but as far as possible keep well with the partisans of Brutus and Cassius, until the time came when he could safely throw off the mask and act as he pleased. For some time he affected to desire nothing so much as moderate and conciliatory measures, and gained some popularity by voluntarily proposing in the Senate that the office of Dictator should be forever abolished.

It does not fall within the scope of this biography to give anything like a minute detail of events with which Cicero was not immediately concerned ; and our business is to follow his fortunes, and see how they were affected by the sudden catastrophe which had changed the destinies of the Roman world. That there may be no mistake as to his hearty approbation of Cæsar's murder, I will quote a few passages from his subsequent letters, to show the terms in which he spoke of it. In one of them he says :—  
“ Though everything goes wrong, the Ides of March console me. But our heroes have done gloriously and nobly what depended on themselves to do. What remains requires money and resources, of both of which we are destitute.” In another, “ Hitherto nothing pleases me except the Ides of March.” In another, “ Whatever perils they may endure, our heroes have one great consolation,—the consciousness of their grand and glorious deed.” In another, “ Our saviors will always be illustrious, blessed in the consciousness of their act.” Writing to Cassius, he exclaims, “ O that you had invited me to the feast of the Ides of

March: *there would have been no remains!*"<sup>1</sup> In other words, he would have advised that Antony should be killed. And he uses precisely the same expression in a letter to Trebonius.

But he deeply deplored the want of plan and foresight shown by the leaders of the enterprise. They trusted very much to the chapter of accidents, and thought that it was enough to kill Cæsar to establish the Republic on its old foundations. They forgot that the body politic was corrupt to its heart's core, and that a century of struggles and disorder had made the people careless as to the fate of the Constitution, provided they were fed and amused. Accustomed to largesses and bribes on a gigantic scale, they regarded political power chiefly as the means of securing benefits to themselves in the shape of corn, money, and theatrical shows, and the highest bidder was the man who generally obtained their votes. To Cæsar's rule they bowed their necks without a murmur, so long as the old names were kept, under which they fancied that Roman freedom was preserved; and Plutarch remarks, with reference to the attempt of Antony to place the kingly diadem on Cæsar's brow, that it was "a curious thing enough that they should submit with patience to the fact, and yet at the same time dread the name as the destruction of their liberty." Not so curious, however, as the Greek imagined, for men cling to shadows long after the substance has departed, and adhere obstinately to the forms of effete institutions, though no longer instinct with energy and life. It is

<sup>1</sup> Vellem Idibus Martiis me ad coenam invitasses; reliquiarum nihil fuisset. — *Ad Div.* XII. 4.

impossible not to wonder that men like Brutus and Cassius should have shown themselves so incapable of guiding the enterprise on which they had staked their lives. Their hope was that the people would rise *en masse*, and hail them as the saviors of Rome. But when they heard the execrations of the mob, and saw from the Capitol their houses in flames, they became, as it were, paralyzed with fear, and thought of nothing but providing for their personal safety. They hastily quitted Rome, and retired to the neighborhood of Antium to wait the course of events, intending to leave Italy if the news from the city continued to be unfavorable. It was contrary to law for them, as prætors, to absent themselves from the city for more than ten days, and they therefore obtained a dispensation from the Senate for that purpose. So careful were they to observe legal forms, even at such a crisis of terror and confusion.

Cicero was not the man for an emergency like this. He hastened away from Rome, where he felt that he was powerless, and for the next few months wandered from one villa to another, at Tusculum, Formiæ, Sinuessa, Puteoli, Pompeii, and Naples, pouring out his complaints in letters to Atticus, and seeking distraction from politics in philosophy and literature. In April we find him in the neighborhood of Rome, where he paid a visit to Mutius, an intimate friend of Cæsar, who was a shrewd observer of passing events, and saw clearly that the game which the conspirators had played was lost. He told Cicero that nothing could be worse than the present state of things, and there was no getting out of the difficulty. "For if Cæsar," he said, "who was gifted

with so powerful an intellect, could not extricate the State from its perils, who can do so? All is ruined." Upon which Cicero remarks, "Perhaps he is right." Mutius told him that Cæsar had said of Brutus, "It is of great importance what he wishes: whatever he wishes he wills strongly;" and he mentioned that once, when Cicero called on Cæsar at his house, and sat down to wait until he was summoned to his presence, Cæsar had observed, "How can I doubt that I am unpopular? how can I be such a fool as to believe that this man is my friend, when he sits so long to wait my convenience? I do not doubt that he hates me heartily;" meaning that so much ceremony would not be used by his visitor if they had been on terms of friendly intimacy together. Cicero was pleased to hear that the populace had applauded in the theatre at the Megalesian Games when the actor Publius had repeated some lines which were caught at as complimentary to Brutus and Cassius. After staying only a day at his Tusculan villa, he proceeded to Lanuvium, from which place he wrote to Atticus, regretting that he had not applied to the Senate for an honorary legation (*legatio libera*), which would have given him an excuse for leaving Italy, but he had been deterred from an unwillingness to appear afraid at the unsettled aspect of affairs. He saw that everything looked gloomy. The satellites of the tyrant were, he said, in power, — in command of armies, and attended by Cæsar's veteran soldiers as body-guards; while the conspirators, who ought to have been protected by the whole world, and not only applauded, but exalted to high office, were compelled to shut themselves for safety in their houses.

The townspeople in the provinces were, he said, enthusiastic in their joy at the death of Cæsar, and flocked to him in numbers, anxious to hear all he had to tell them on that thrilling theme.

On the sixteenth of April he reached Puteoli, and stayed several days at his villa in the neighborhood. He was here gratified by receiving satisfactory letters from his son at Athens, written in a style which showed learning and scholarship. This, Cicero remarked, was a proof that he was making progress in his studies, whether the sentiments he expressed were genuine or not. Most probably they were written in Greek. He begged Atticus, who generally managed his pecuniary affairs during his absence from Rome, to see that the young man was liberally provided with money. Just about this time a friend named Cluvius left him some property at Puteoli, part of which consisted of shops. Two of these, he said, had tumbled down, and the rest showed ominous cracks in the walls, "therefore not only the tenants but the mice have emigrated." "Others," he continued, "call this a misfortune; I do not call it even an inconvenience. Good Heavens! Now I care nothing for such things. . . . It were better to have died a thousand times than endure this state of things, which seems likely to be permanent." It was here that a copy was sent him of Antony's speech at Cæsar's funeral, and he declared that he had hardly patience to read it. Here also he met Balbus, Lentulus, Hirtius, and Pansa, the last two of whom had, as we may remember, taken lessons in declamation under him, and he sometimes in jest calls them his pupils. Their position as consuls elect for the next

year gave them some importance, and made Cicero anxious to ascertain what were their political views, and how far they might be relied upon. But another person, who was destined to play a far more conspicuous part in the coming contest, was in the immediate neighborhood, and had frequent interviews with Cicero. This was the young Octavius, then only eighteen years of age, who was staying at the residence of his step-father, Philippus, near Puteoli, and treated the veteran statesman with the most deferential attention and respect. He had been sent by Cæsar, who was his great-uncle, to Apollonia in Epirus, to finish his education there, and was to have accompanied him to the East when he set out on the Parthian campaign. He there heard the news of the murder, and also that his uncle had adopted him by will as his heir, and bequeathed to him three fourths of his property. He immediately quitted Apollonia, and reached Naples on the eighteenth of April, declaring that he came to take possession of his inheritance. His immediate retainers already saluted him with the name of Cæsar, but Cicero observed that his step-father, Philippus, did not, and he therefore himself abstained from giving him the title, although he was pleased with his demeanor, and considered him quite devoted to himself. Many of Cæsar's veterans who were in the neighborhood rallied round Octavius, and called upon him to avenge his uncle's death. He hastened on to Rome, and reached the city at the end of April, declaring that he came only to receive his inheritance. Antony was at this juncture in Campania, where he had gone to gain over to his side the legionary soldiers, who were quartered

there in considerable numbers, many of them being settled as colonists on lands bestowed upon them by the liberality of Cæsar. He did not return to Rome until the middle of May, when Octavius reproached him with his delay in punishing the assassins of Cæsar, and demanded that his own adoption should be ratified with the usual legal forms. This, perhaps, was not so easy, even if Antony had been disposed to comply, for it was the first instance known at Rome of an adoption by will. Hitherto such an act had only taken place *inter vivos*, but it was no time to stand upon technicalities. Octavius, however, did not carry his point as to the adoption until the following year, but in the mean time he assumed the names of Caius Julius Cæsar Octavianus — exchanged afterwards for the well-known title of Augustus. In future we shall speak of him as Octavian. He also demanded that the property bequeathed to him by Cæsar should be made over to him; but Antony replied that the treasure belonged to the State. He had already made free use of it for his own purposes, and paid off an enormous load of his own and Dolabella's debts, hoping thereby to secure the friendship and support of his profligate colleague. His unwillingness to accede to Octavian's wishes was the foundation of the hostility which sprang up between these two competitors for power, and the contest was carried on under various phases, until, after a short interval of apparent but hollow reconciliation, it ended, as everybody knows, in the destruction of Antony, and the elevation of Octavian to an imperial throne.

## CHAPTER XXI.

VACILLATION. — DEPARTURE FROM ITALY AND SUDDEN  
RETURN TO ROME.

ÆT. 63. B. C. 44.

IN the mean time Cicero remained quietly in the country, and kept up an active correspondence with Atticus at Rome. His friend wrote and asked him whether he preferred the hilly scenery of Arpinum or the prospect of the sea at Puteoli. Cicero replied that both were so pleasant that it was difficult to say which he liked best. He foresaw that a Civil War was at hand, but expected it in a different quarter from that in which it actually broke out. Sextus, the only surviving son of Pompey, was in arms in Spain, and Cicero's idea was that the first blow would be struck by him. He was, as usual, terribly perplexed as to what course he should adopt. He felt that he could not now remain neuter in the contest, as he had done in the closing scenes of the struggle between Pompey and Cæsar; for, as he told Atticus, he was sure that all who had shown joy at the death of Cæsar, in which number he included himself, would be regarded by the other side as enemies, and proscribed. The result, he said, was that he must join either the camp of Sextus or of Brutus; but either was an odious alternative, and ill suited to

his years, especially when he reflected on the uncertainty of war. He added, in a loftier tone, "Let me consider what is my duty, and, whatever happens, let me bear it with fortitude and wisdom, remembering that it is one of the accidents of mortality; and let me console myself chiefly with literature, and not a little with the recollection of the Ides of March." But he continued to halt between two opinions, and was in a state of painful irresolution as to the line of conduct he should adopt, taking Atticus into his counsels, and confiding to that tried and trusted friend all his anxieties and fears.

It was about this time, or perhaps earlier, that Quintus and Pomponia, who must have long been heartily sick of each other, put an end to their matrimonial squabbles by a divorce. Quintus, who seems to have been generally in money difficulties, was hard pressed to find the means of restoring his wife's dowry — the inevitable consequence of a divorce under the Roman law. A rumor got abroad that he intended to marry another lady, named Aquilia, but Cicero said that his brother was utterly averse to the thought of a second marriage, and, in the joy of his newly acquired freedom, declared that nothing was more delightful than a bed all to himself.

Knowing, as we do, the rooted dislike of Cicero toward Antony, we might be surprised at the tone of a letter which he wrote to him from Puteoli, if we had not frequent examples of the dissimulation which he allowed himself to practise from political motives, and which, if we did not possess his confidential correspondence, would have given us an entirely erroneous impression of many of his opinions of

the men and events of his time. Antony wished to recall from exile Sextus Clodius, who had been, as we may recollect, banished from Rome for the part he took in the riotous proceedings that occurred at the funeral of his relative, Publius Clodius. Antony pretended that he had obtained from Cæsar a promise that Sextus should be restored; but as no one was more interested in the question than Cicero, of whom the whole Clodian family was the implacable enemy, he wrote to him a complimentary letter to try and obtain his consent, saying that without it he would not take upon himself to recall Sextus, however much he desired to do so. Cicero sent this letter and a copy of his answer to Atticus, and, by way of comment, told him that the request on the part of Antony showed such disgraceful baseness that he sometimes almost wished to have Cæsar back, — for, by forging documents, he pretended that Cæsar had expressed wishes utterly irreconcilable with the whole tenor of his acts and policy. “But,” he added, “I have shown myself perfectly ready to humor Antony. For, as he had made up his mind that he could do as he liked, he would have done it whether I liked it or not.” This may be so, and we might therefore have expected to find a civil compliance with Antony’s request, and no more. But this was not Cicero’s way of doing things. He wrote a letter full of the warmest expressions of friendship for Antony, declaring that he had always loved him, but now his conduct at the present crisis had so endeared him that he esteemed no one more! He at once granted Antony’s wish, and assured him that he would always comply with his requests and pro-

mote his interests, without hesitation, and with the utmost zeal.<sup>1</sup> This letter was afterwards produced by Antony in the Senate, and read by him when he replied to the speech of Cicero known as the first Philippic. His object was to show the contrast between the expressions of respect and friendship for himself which it contained, and the very different language of the public attack. In his second Philippic Cicero animadverted severely upon this as a betrayal of confidence, and as taking an advantage of which no man of honor would avail himself.

“For who,” he asked, “that was ever so little conversant of the usages of gentlemen, when some cause of quarrel had arisen, ever brought forward and read in public letters which had been sent him by a friend? To render impossible the confidential intercourse of absent friends, what else is it than to deprive life of all fellowship and communion? How many things are there in letters said in jest which if they were published would seem silly! how many things said seriously which yet on no account ought to be divulged!”

There is a good deal of truth in the last two sentences, and it would be well, perhaps, if biographers would bear it in mind oftener than they are disposed to do. But as to the assertion that, when a man is attacked as having been infamous all his life by one who professed to be his friend, he may not use former letters to show the opinion which that person then expressed of his character or conduct, it is carrying the rule too far which forbids confidential communications to be divulged.

<sup>1</sup> It is fair to remember that up to this time there had been no rupture between Cicero and Antony, and they had lived on terms of apparent if not very sincere friendship. In a letter to Tiro about this date he expresses his wish to retain “Antonii inveteratam sine ullâ offensione amicitiam.” — See *Ad Div.* XVI. 23.

It is worth noticing, as an illustration of the difference between ancient and modern ideas on the point of honor, that in the same speech, immediately after accusing Antony of a breach of good manners in reading his letter, in order to show that he was guilty not only of an indecorum but a folly, Cicero made use of an argument which would certainly not have occurred to an orator at the present day. He said, —

“But what would you have to urge in reply if I were to deny that I ever sent you that letter at all? By what evidence would you convict me? Is it by the handwriting? a thing in which you have an expertness which you know how to turn to good account. (This was a bitter allusion to the forgeries of Cæsar’s handwriting with which Antony was charged.) How could you do so, since it is in the hand of a secretary? I really envy your master in rhetoric, who got such a large salary to teach you nothing. For what is more stupid, I do not say in an orator, but an ordinary man, than to allege that against an adversary which if the adversary denies, the assailant cannot advance a step further. But I do not deny it.”

We may well believe that it never flashed across Antony’s mind that Cicero, a senator and ex-consul, would get up in his place and deny the genuineness of his own letter. The idea of such a defence being set up could only occur where the party attacked was supposed to be base enough to resort to a lie, and in that case the assailant would generally take care to be furnished with some evidence to confute him.

He wrote at the same time to his quondam son-in-law Dolabella in terms of extravagant praise, because he had just put down with stern vigor a tumult at Rome, and punished some of the ring-leaders with death. Cæsar was a favorite with the

lower classes, who remembered with regret the shows and feasts with which he had entertained them, and the money he had more than once distributed amongst them. Some persons had erected a stone pillar twenty feet high in the Forum to his memory, on the spot where his body was burnt, with an inscription upon it, CÆSARI PARENTI PATRIÆ, and sacrifices had been actually offered there as if it were an altar. This was going rather too far, and Dolabella, as consul, ordered the pillar to be thrown down. A riot ensued, which was soon quelled, and the most active of the leaders were seized and executed. It was this act that drew forth such extraordinary encomiums from Cicero that Atticus felt obliged to remonstrate with him. It is not worth while to quote the letter to Dolabella, which may be described as one long panegyric in Cicero's most complimentary style. And yet immediately afterwards we find him writing to Atticus, and saying that it would be a much greater action on the part of Dolabella if he would only pay the money he owed him — meaning Tullia's dowry — which had never yet been restored by her worthless husband. Cicero frequently harped on this subject, and was obviously much annoyed at the delay and poor prospect of recovering the money.

He left Puteoli, and went to his villa near Pompeii, but first did an act of kindness to Pilia, the wife of Atticus. For some reason, probably on account of health, she wished to reside for a short period in the country; and Cicero gave up to her his Cuman villa on the shore of the Lucrine lake where he took care that she should have every com-

fort, and left her the key of the cellar.<sup>1</sup> He wished himself to travel as far as Athens, and pay a visit to his son, for he rather distrusted the accounts he had of him. He was not satisfied with a letter he received from a distinguished Athenian named Leonidas, who, although he spoke favorably of the young man, used the expression "so far as at present," and Cicero thought that this betrayed some misgivings as to the future. But he was glad to have any excuse for leaving Italy just then, and only lingered because he was uncertain of the plans of Brutus and Cassius. All his hopes were fixed on them, and especially on Brutus, whom he regarded as the last stay of the cause of the Republic. Atticus advised him to give up politics; but, with all his disgust at the turn things were taking, he could not bring himself to change the whole habit of his life. He was more than ever convinced of the want of foresight shown by the conspirators. Their deed, he said, was the deed of men — their counsels were the counsels of children. "Old age," he added, "has made me bitter — I am dissatisfied with everything. But my life is over: let the young see to it." He was determined, at all events, to have nothing to do with war. He had seen enough of it in the last contest, and had a lively recollection of the miseries of a campaign when he joined the standard of Pompey in Epirus. "Anything," he now exclaimed, "rather than a camp! It would be better to die a thousand deaths, especially at my time of life." A meeting of the Senate had been summoned for the first of June, and he wished to be present, but his

<sup>1</sup> Cui quidem ego totam villam cellamque tradidi. — *Ad Att.* XIV. 9.

friends advised him to stay away, for they heard that secret preparations were being made to have in readiness a body of troops, and it was feared that an attack would be made upon those who had shown themselves the enemies of Cæsar. He was distressed at hearing of the sudden death of his friend and medical attendant Alexio, and then wrote to Atticus: —

“What a sad event is this of Alexio! It is incredible how much sorrow it has caused me, and, believe me, by no means chiefly for the reason which people assign when they say to me, ‘Whom will you get for a physician?’ What have I now to do with a doctor? or, if I require one, is there such a dearth of them? What I regret is his affection for me — his kindness — his agreeable disposition. Besides, I cannot help thinking what cause there may not be for alarm when such a disease has so suddenly carried off a man so temperate in his habits, and a physician of such eminent skill. But in all this I console myself by reflecting that we are born to bear all accidents which can happen to mortal man.”

It seems that about this time some lady had fancied that Cicero was in love with her, because he had paid her a few compliments. The passage in which he alludes to it is obscure, as almost all the passages are in which he hints at his domestic affairs, but the purport of it apparently is that either he or the lady herself was too old for him to think of marrying her.

Brutus sent him a copy of the speech he had delivered when he addressed the people in the Capitol immediately after Cæsar's death, and, intending to publish it, wished Cicero first to peruse it, and make such corrections as he thought advisable. As the speech must have been extempore, it was either taken down by some one on the spot, or Brutus wrote it

out afterwards from memory. But Cicero said he could not correct it. His style was so different from that of Brutus, that the two would not amalgamate. Atticus wished him to compose an oration himself, and pass it off for the one which Brutus had spoken in the Capitol, but he naturally refused, as Brutus was publishing his own. He said that the time would come when he would say and write a good deal against the tyrant who was so justly put to death — but not then, nor in that way. He sometimes spoke of the murder with a levity which is disgusting; as, for instance, when in one of his letters he describes the victim as “the man whom our friend Brutus wounded.” Sometimes his expressions were quite savage. Thus, alluding to the ruinous course public affairs were taking, he said:—

“If things go on in the way that seems likely, the Ides of March give me no pleasure. For either he (Cæsar) would never have come back (from the Parthian war), or at all events I was in such favor with him, *whom I wish the gods may damn now that he is dead! (quem dii mortuum perduint!)* that at my time of life I need not have shrunk from him as a master, since though our master is killed we are not free.”

Antony had contrived an ingenious mode of doing very much as he liked under the pretence that he was only carrying out the directions left by Cæsar, which, as has been mentioned, the Senate agreed to ratify. His plan was neither more nor less than one of wholesale forgery. Having possessed himself of Cæsar's papers and secured the coöperation of his late secretary Faberius, he forged a great variety of edicts and orders, and declared that he had found them amongst the documents left by the Dictator. We do not know the exact means by which the fraud

was perpetrated: whether he got Faberius to imitate the handwriting, or made use of Cæsar's seal and attached it to papers which Faberius filled up under his directions. Neither is it easy to understand why edicts, which had never been published while Cæsar was alive, should have a posthumous validity given to them after he was dead. It may be that the whole were considered by the Senate to be in the nature of testamentary papers; and they were willing to carry into execution all the wishes expressed in them, as if they were giving effect to an ordinary will. And Antony made an unsparing and profitable use of the opportunity. He sold appointments, franchises, and titles, all of which he pretended to draw out of the Fortunatus's bag which he had found in Cæsar's strong-box. People were astonished to see edicts appear, of which no one had ever heard; they were engraved on brass tablets in the usual manner, and hung up on the Capitol; and even resolutions of the Senate were quoted, of which that body was entirely ignorant. Thus Antony, as Cicero remarked, was able to do more in the name of Cæsar after he was dead, than Cæsar himself could or would have done if he had been alive. "Though the king," he said, "is slain, we pay deference to every nod of his majesty."

He got back to his Tusculan villa before the end of May, and wrote to Atticus declaring that he was resolved, as at present advised, to keep away from Rome. He wrote also to Antony to request that he might have a legation given him, which would enable him to leave Italy without injury to his reputation. But his anxiety on this point was soon afterwards

relieved by Dolabella, to whom the Senate had given the government of Syria with a military command, in order that he might conduct the campaign against the Parthians; and on the second of June he made Cicero one of his lieutenants, giving him a general permission to employ his time as he pleased and travel where he liked. He could thus go away from Italy without seeming to fly, and might escape from the difficulty of his position under the pretext that he was obeying the orders of Dolabella. He determined, therefore, to visit Athens and stay there until the end of the year, when he hoped that a new and better era would dawn for Rome under the consulship of Hirtius and Pansa.

He turned his steps southwards, and travelled slowly along the western coast, stopping at one or other of his various country-houses, and keeping up a correspondence with Rome. He was in hopes that he might be able to accompany Brutus to Greece, for the sea was infested by pirates, and Brutus and Cassius had a small fleet of ships lying in the neighborhood of Naples ready to convey them away at a moment's notice. The provinces which Cæsar had assigned to them, namely, Macedonia to Brutus and Syria to Cassius, had been taken from them through the influence of Antony, who knew that it was dangerous to allow them to assume such important commands; and in their place the Senate had given Brutus Crete and Cassius Africa. Trebonius got Asia Minor, Tullius Cimber Bithynia, and Decimus Brutus Cisalpine Gaul, the modern Lombardy. But Brutus and Cassius were determined not to be thus put off; and, as is well known, Brutus ultimately

landed in Macedonia, and there at Philippi fought and lost the decisive battle which made Antony and Octavian for the time joint masters of the Roman empire. Cicero had an interview with him at Antium in June, at which his mother Servilia, his sister Ter-tulla the wife of Cassius, and his own wife Porcia, together with Favonius, were present. The question was debated what course it was best to adopt. Cicero's advice was that Brutus should undertake a commission to purchase grain in Asia for Rome, which the Senate had imposed upon him, or at all events make use of it as a pretext for leaving Italy. While they were discussing the matter, Cassius arrived. He had a similar commission for Sicily, but declared in a fierce tone that he would not go there on such a contemptible errand, but would cross over to Achæa. The utter want of purpose and plan betrayed in the conversation greatly disappointed Cicero,<sup>1</sup> and made him more than ever resolved to avail himself of the appointment given him by Dolabella and leave Italy. He said that the kind of free legation he had received, with permission to come and go as he pleased for five years, exactly suited him. Then suddenly recollecting the time of life he had reached, he added, "But why should I extend my thoughts to a period of five years? My span seems likely to be a contracted one; but let me avoid words of ill omen." Whether ominous or not, the words were prophetic, for before the end of the next year Cicero was no more.

He was not without hopes that they might rely on Octavian, who was, he thought, animated by feelings

<sup>1</sup> Nihil consilio, nihil ratione, nihil ordine. — *Ad Att.* XV. 11.

of good-will towards his "heroes," as he was fond of calling Cassius and Brutus. But natural misgivings came over him when he remembered his youth, his adoption of Cæsar's name, the inheritance he had received, and the training in which he had been brought up. As had been frequently the case ever since his return from exile, he was now, owing to the bad management of his steward, hampered in money-matters, and was obliged to have recourse to borrowing. He had been laying aside some of his rents to pay the cost of the shrine which he still intended to erect to the memory of Tullia, and had lent money to others, which he could not always call in when he wanted it. He found that his son Marcus had not had for a full quarter any remittance; he therefore applied to Atticus and begged him to give the young man credit at Athens for a year's allowance, referring him to his steward for payment, and he sent his trusty factotum Tiro to Rome to see to all these matters. He was the more anxious to supply his son's wants liberally, as he heard excellent accounts of him, and the letters he received from him were of the most satisfactory character. Atticus was already out of pocket by advancing him money at Athens, which surprised Cicero, who begged him to inquire of his steward what had been done with the rents of the houses which we may remember he had appropriated for his son's use while abroad, and thought it an ample allowance.

The ranks of what we may call the opposition, that is the party of Brutus and Cassius, were now joined from an unexpected quarter. Young Quintus, who had made himself so useful to Antony, and

stood so steadily by him that he was called his right hand, quarrelled with him for some reason or other, and went over to the other side, to the great joy of his father, and also of his uncle, who was very glad to get him away from Rome, where he had been doing them both mischief. He came to Cicero at Puteoli, and was introduced by his uncle to Brutus in the little island of Nesis, opposite, where Brutus was staying. Quintus was going back to Rome, and wished to have a letter to Atticus from his uncle, as a kind of guaranty that he might be trusted by the party. Cicero therefore wrote one full of the highest praises of his nephew, and emphatic assurances of his sincerity. This he delivered open to his nephew that he might see what he had said of him, but took care to write at the same time privately to Atticus, and put him on his guard; cautioning him not to give much credence to the complimentary terms in which he had spoken of Quintus in the other letter. In point of fact, however, the young man showed that he might be depended upon. He adhered faithfully to the side he now adopted, and fell a victim to the proscription before the end of the following year.

Brutus wished Cicero to go to Rome and be present at the games of Apollo, which were about to be celebrated in his name as prætor. But he declined on the ground that it would be very unbecoming for him to visit the city for the sake of amusement at such a time, to say nothing of the danger to which he might be exposed. The games were advertised to take place in the month of *July*, which name had been substituted for *Quintilis*, in honor of Cæsar;

and Brutus was much annoyed at this, thinking naturally that it was very inconsistent that games exhibited by him who had been the assassin of *Julius* should be announced to take place in *July*, as if he meant to pay posthumous honor to the memory of his victim. He therefore wrote to Rome, and gave directions that a hunting-match which was to follow the Apollinarian games should be advertised to take place III. ID. QUINT. He was not without hopes that the people would be ingratiated by the splendor of the spectacles he gave them ; but in bidding thus for popular favor he was outdone by Octavian, who distributed largely money amongst the lower classes, and thus gained for himself the voices of the mob.

During all this time, since he had left Rome, Cicero had been actively engaged in literary composition, and we owe to a period so full of anxiety and alarm some of his most celebrated works. His intellectual activity was never greater than in the last two years of his life, and his chief consolation was the study of philosophy, and devotion to what we may call the *belles lettres*. He wrote or finished his three books *De Naturâ Deorum*, and dedicated them to Brutus ; also the work *De Divinatione* ; and he occupied himself in giving the last touches to a history of his Own Times, upon which he had been for some time engaged. His son published it after his father's death, but it is entirely lost. He wrote also treatises on Glory (*De Gloriâ*) and Destiny (*De Fato*), the latter of which only exists in a mutilated form.<sup>1</sup> He sent the *De Gloriâ* to Atticus just before he em-

<sup>1</sup> The essay *De Gloriâ* disappeared within the last five centuries. It was in existence in the time of Petrarch.

barked for Athens, with strict injunctions not to publish it, but only allow it to be read aloud in the presence of a few friends—"audience fit though few" (*bonos auditores nactus*)—at a supper-table, according to a custom which was one of the intellectual recreations at Rome. He also composed two of his most delightful essays, those on Friendship (*De Amicitia*), and Old Age (*De Senectute*). He commenced, besides, his work *De Officiis*, the best manual of ethics which has been bequeathed to us by heathen antiquity, and prepared for publication a collection of his letters; telling Atticus that he must supply some of them, and that Tiro had about seventy which he would look over and correct. Most probably the edition did not appear until after his death.

We cannot but admire the industry and genius which enabled him, when his mind was depressed by sorrow, and he saw the institutions of his country crumbling to ruin and her liberties the prize of the most successful adventurer, to distract his thoughts from the chaos of politics, and employ them on such lofty themes. It seemed like the sun bursting through the clouds, and while all was dark and dreary for him in the stormy world of action, he expatiated with more delight than ever in the calm regions of contemplation and philosophy.

He was still anxious to sail from Italy in company with Brutus, having given up the idea of embarking at Brundisium, the usual port for Greece, as he heard that some of the legions which were quartered in Macedonia, waiting to march to the East for the Parthian campaign, and which Antony had sent for,

were expected there ; and he did not think it safe to trust himself in close contact with Cæsar's soldiers. But Brutus was dilatory, and at last Cicero would wait no longer. He had several interviews with him in the island of Nesis, where also he met Cassius, who lay off Naples with a squadron of ships. News had come from Rome that when Atticus's play of Tereus was acted during the games, the spectators had loudly applauded some passages which expressed hatred of tyranny ; but Cicero remarked that it gave him more sorrow than joy that the people employed their hands in clapping at a theatre, instead of defending the Republic.

All was at last ready for his departure, and before he set out on his voyage he wrote a parting letter to Atticus, telling him that, amidst the conflicting emotions he felt at leaving Italy, he was chiefly affected by the thought that he was separating from him. The two friends had taken an affectionate leave of each other at Tusculum some time before, and Atticus had written and told him how he had wept after the adieu. Cicero replied that if he had done so in his presence it would perhaps have made him abandon his journey. Their attachment seemed to increase as time wore on, and few things in Cicero's correspondence are more pleasing than the warm interest he took in his friend's happiness. He was especially fond of Attica, the daughter of Atticus, whom he describes as a girl of a merry disposition — “ the best a child can have ” ;<sup>1</sup> and he often sent her kisses and

<sup>1</sup> Atticæ, quoniam (quod optimum in pueris est) hilarula est, meis verbis suavium des. — *Ad Att.* XVI. 11.

Piliæ salutem dices, et Atticæ, deliciis atque amoribus meis. — *Ib.* XVI. 6

affectionate messages when he wrote to her father, sometimes playfully styling her his love. In the last letter before he sailed he said, "Pray, give a kiss for me to my absent Attica. She deserves this for the kind compliments she sent me in your letter." He was hardly satisfied that he did right in going away, and, wretched sailor as he was, shrank from the idea of even the short sea passage to Athens. He said:—

"I leave behind me peace, that I may return and find war; and I shall spend in travelling the time that I might have passed at my country-seats, where I have good houses and pleasant scenery. But my consolation is this: I shall either be of some use to my son, or shall be able to ascertain how far progress is possible with him. Besides, you will come as you promise, and as I hope; and if this be so, everything will go on better with me."

He sailed from Pompeii on the sixteenth of July with three small vessels and some open-decked boats,<sup>1</sup> and coasted towards Rhegium (*Reggio*), opposite to Messina. On his way he landed at the town of Velia, where his friend Trebatius had a villa, but only stopped there a day, as the proprietor was absent, and then proceeded on his voyage. He amused himself on board ship by writing his "*Topica*," a sort of compendium of a work of Aristotle of that name. Before he reached Rhegium he paid a flying visit to Sica at Vibo, remembering the kindness he had received from him when he was in former days an exile from Rome; and he was again entertained by him so hospitably that he almost fancied himself at home. Here he wrote to Atticus, and amongst other things told him that he had discovered a mistake he had made in prefixing a

<sup>1</sup> Tribus actuariolis, decem scalmis.—*Ad Att.* XVI. 3.

preface to his essay on Glory, which he had already used as a preface to his Academics. He had therefore composed a new one, which he sent him, and begged him to "glue" it into the book, and cut out the other. With his habitual irresolution he had already begun to repent the step he had taken, and longed to be back at his beautiful villas — those "eyes of Italy," as he called them. It was the old story; having decided on a course of action, he conjured up all kinds of difficulties against it. The thought of the debts he had left behind pressed heavily upon him, and he begged Atticus in Heaven's name to liquidate them for him.<sup>1</sup> He had not yet paid back the dowries of his two successive wives — at all events Publilia's was due; and he had to settle a balance still owing to Terentia.

He crossed from Rhegium to Syracuse, which he reached on the first of August; and although most warmly welcomed by the inhabitants who had not forgotten his quæstorship in Sicily, and his conduct of the impeachment of Verres, he stayed there only one night. Next day he embarked and made for the open sea, but adverse weather drove him back to Leucopetra, a promontory near Rhegium. He again set sail, but was again forced back by a southerly wind. It seemed as if the elements had conspired to prevent the prosecution of his voyage, and he afterwards told Atticus that he owed hearty thanks to the winds for doing so, and thus relieving him from the obloquy to which his journey exposed him. He landed, to wait for a favorable breeze, at the villa of his friend Valerius, and here he received in-

<sup>1</sup> Nomina mea, per deos, expedi, exsolve. — *Ad Att.* XVI. 6.

telligence which entirely changed his plans, and made him abandon all idea of quitting Italy.

Some of the principal citizens of Rhegium, who had just come from Rome, paid him a visit at Valerius's villa, and brought important news. Antony had convoked a meeting of the Senate for the first of September, and it appeared as if he were anxious to effect a reconciliation with Brutus and Cassius. The Rhegians showed Cicero a copy of a speech which the consul had addressed to the people, and the tone of it so pleased him that he determined at once to return to Rome, too happy to abandon a voyage of which he was already heartily sick. He embarked on board his vessel and retraced his course to Velia, which he reached on the seventeenth of August. Here he found a letter from Atticus, the tone of which slightly annoyed him; for it seemed to blame his departure, and to assume that it required some satisfactory explanation, although Atticus himself had previously approved of it. But Cicero did his friend the justice to believe that he had some good reason for changing his opinion. Brutus, whose ships lay a short distance off at the mouth of the river Hales, hastened to meet him, and they had their last interview. Brutus expressed great joy that Cicero had given up the idea of leaving Italy, and told him there was a calumnious report that he had gone to Greece to amuse himself at the Olympian games, which, for some reason not very intelligible to us, Cicero declares would have been disgraceful at any period, and at the present crisis utterly indefensible. Why would it have been disgraceful for him at any time to have been a spectator of the Olympian festival, at which

Alexander had declared that he would enter the lists if he could have kings for competitors? It may be that those once famous games had sunk so low in repute that it would have been as derogatory to the dignity of a Roman Senator to go and see them as for a grave English statesman to take part in the merriment of Bartholomew fair. But we must remember how strong was the contempt felt by the proud Romans for the whole Greek nation — a contempt which constantly appears in the tone in which it is spoken of by the Latin writers; and perhaps they thought the best games of Greece little better than a raree show, when compared with their own gigantic exhibitions in the theatre, their sham sea-fights, and combats of wild beasts and bloody gladiatorial matches.

Cicero travelled in all haste, and reached Rome on the last day of August. He met with a most enthusiastic reception at the gates. Plutarch says such multitudes flocked out to meet him, that the compliments and civilities which were paid him there and at his entrance into the city took up almost the whole day. He must have been vividly reminded of his return from exile, thirteen years before, when similar honors were bestowed on him, and he was welcomed back by his fellow-countrymen, who, as is so often the case, appear to have valued him most when his absence had made them appreciate his worth. And, with all his faults and weaknesses, who was there then in Rome who could compare with him in reputation? The greatness of his intellect dwarfed that of every other man alive; and, indeed, there were none left who were more than ordinary men.

Antony and Dolabella were distinguished chiefly by profligate ambition and licentious morals. Octavian was not yet known to fame, or was known only as the inheritor of a lofty name. The great actors had left the stage: Cato, Pompey, Curio, and Cæsar slept in bloody graves. Brutus, who had something of the old Roman stamp of fortitude and virtue, was a fugitive abroad. Not an orator existed in Rome. The vessel of the state was adrift, and no one knew who would seize the helm and make himself master of the liberties of his country. There was a gloomy foreboding that the appeal must be once more to the sword, and that the Republic would again have to bow her proud neck beneath the domination of a ruler. Between the Senate and the consuls there was a state of sullen hostility. Dolabella was odious for his vices; and his conduct as a politician in the lifetime of Cæsar, when, presuming upon the support of the Dictator, he had proposed the nefarious measure of a national bankruptcy by relieving debtors from the obligation of paying their debts, was neither forgotten nor forgiven. Antony was not merely mistrusted, but hated by the senators, who saw in him another Cæsar, without his nobleness of nature or commanding intellect, and who, in silent amazement, had witnessed the impudent forgeries he had passed off as edicts and decrees which they themselves had agreed to ratify.

No wonder, then, that Cicero was welcomed back with an enthusiastic greeting. The faint-heartedness he betrayed when pouring out his soul to Atticus was not known to the public. He had shown a bold front in many great emergencies, and his matchless

eloquence in the Senate and on the Rostra had often decided questions in critical moments of difficulty and danger. No wonder, then, that both senators and people longed to hear that voice again, and to listen to the words of counsel that would flow from those persuasive lips. And he did not disappoint their expectations. At no period of his career was he so truly great as in the closing scenes of his life. Overawed by the genius of Cæsar, and attached to Pompey by personal regard and an exaggerated feeling of gratitude, but without faith in him as a statesman or a general, he had hesitated and oscillated in a pitiable manner throughout the Civil War; but now his course was clear, and his duty manifest. He had cast in his lot with the regicides, and he was resolved that, come what might, he would stand the hazard of the die. When he discovered that the hope which had lured him back to Rome was illusory, — the hope, I mean, that Antony was going to act the part of a patriot, and heal the intestine wounds of the commonwealth, — he opposed him with a boldness which reminds us of the consul in the days of Catiline, and denounced him with a violence which showed that he took small thought of his own safety. It may be, and I believe it was, that a sense of personal affront mingled not a little with the motives which led him to attack Antony with such unsparing virulence; but the cause he defended admitted of no compromise with a man like him, who, if he were not destroyed, would be the destroyer of the liberties of Rome.

## CHAPTER XXII.

QUARREL WITH ANTONY. — THE SECOND PHILIPPIC. —  
MOVEMENTS OF ANTONY AND OCTAVIAN.

Æt. 63. B. C. 44.

THERE was to be a full meeting of the Senate on the morrow, and it was known that Antony intended to propose a public thanksgiving in honor of Cæsar's memory. It was the duty of every senator to attend, under the penalty of a fine, just as it is the duty of every member of the British Parliament to be in his place when there is a call of the House. But when the morning came, and the Senate assembled, Cicero did not appear. He could not, without the grossest hypocrisy and inconsistency, support a motion by which Cæsar would be almost deified, and he did not wish to oppose it, for this would have made a breach with Antony, and frustrated the hopes he cherished of being able to act with him in the service of the State. He therefore stayed away, and confined himself to his house on the Palatine, on the plea that he was unwell from the fatigue of his rapid journey. It was the business of the consuls to see that the summons to attend was obeyed by the senators, and Cicero — more out of courtesy, and as a matter of form, than because he thought any serious notice would be taken of it — sent a messenger to Antony

to excuse his absence. The effect it produced is difficult to explain. It threw Antony into a paroxysm of rage : he rose from his seat in the Senate, and declared that, if Cicero did not come, he would send workmen to pull down his house about his ears.

When Cicero heard of the outrageous insult, he was deeply offended. He felt it, he said, the more because the house which Antony had threatened to pull down was the very one which had been rebuilt for him at the public cost by an order of the Senate. It was the monument of his triumphant recall to Rome. He did not, however, give way to the sudden impulse of anger. The provocation was great, but he restrained himself. He did not wish to break with Antony, upon whose conduct and policy the welfare of the State so much depended ; and it is impossible not to admire the tact with which, while he showed himself sensible of the affront, he still held out the hand of reconciliation, and rather expostulated with the consul as a friend than attacked him as an enemy.

He went next day to the Senate-house, and delivered there the first of those famous fourteen orations so well known under the name of the *Philippics*.<sup>1</sup>

It was a masterly speech, grave, dignified, and calm — worthy of the man and the occasion. Antony was not present. Conscious of the indecent violence of his language the day before, he probably did not wish to face an opponent so formidable in debate as Cicero, who sarcastically remarked, that it

<sup>1</sup> These speeches were originally called the Antonian Orations, *Orationes Antonianæ*, which is much the more appropriate name. — See Aul. Gell. *Noct. Att.* XIII. 1.

seemed that Antony might have permission to be ill — a permission which yesterday was not accorded to himself. I will quote a few short passages of the speech, and I can only regret that space will not allow me to quote more.

In declaring his opinion generally on the state of public affairs, he said:—

“First of all I vote for the ratification of the acts of Cæsar, not because I approve of them, for who can do that? but because I think we ought above all things to consult the interests of peace. I wish that Antony were present, provided that he came without his satellites. But he, I suppose, may have permission to be unwell — a liberty which was denied me yesterday. He would be able to teach me, or rather you, Conscript Fathers, after what fashion he is prepared to defend the acts of Cæsar. Is it that those acts are to be maintained which are found in memoranda and papers and scraps of writing — produced on his sole authority for their genuineness — nay, not even produced, but only *said* to be in existence; and that those which Cæsar engraved on tablets of brass — the records of the laws and the decrees of the people — are to be esteemed of no account?”

He reviewed the conduct of Antony, pointing out his inconsistency in procuring the repeal of several salutary laws of which Cæsar was the author, while at the same time he took care to carry into execution with religious scruple the alleged wishes of Cæsar as expressed in the papers he had left behind him. He commented with sarcastic irony on the power which the Dictator was thus enabled to exercise in the grave. “Exiles were brought back from banishment by the dead: the franchise of the city was given not only to individuals but to whole nations and provinces by the dead: the revenues of the State were swept away by innumerable exemptions from taxation granted by the dead.”

He deprecated the idea that he was saying anything against Antony out of anger or in an unfriendly spirit; and went on to compliment Dolabella on the vigor he displayed in putting down the seditious tumult in the Forum when he removed the column erected to the memory of Caesar. He then turned to Antony, addressing him as if he were present (*absentem appello*), and reminded him of his patriotic conduct when the Senate met in the temple of Tellus, and during the first few days after the Ides of March. With artful dexterity he alluded to the abolition of the office of Dictator as a proof that Antony wished to brand the memory of Caesar with everlasting infamy. "For as," he said, "by a decree of the Manlian gens, no patrician may be called Marcus Manlius, on account of the crime of one Marcus Manlius, so you entirely abolished the name of Dictator on account of the odium brought upon it by one Dictator."

He implored him to take warning by the fate of Caesar, and the unmistakable signs of popular applause bestowed upon those who had assassinated him. He ended his oration by thanking the Senate for the kindness with which they had listened to him, and concluded with the words, "The time that I have lived is nearly enough, both as regards the age I have reached and the glory I have acquired. If it be prolonged, it will be so not so much for any advantage to myself, as for you and for the State."

We can well imagine how this speech, with all its studied moderation and affected candor, must have been gall and wormwood to Antony when he read it. He had retired to a villa which had belonged to

Metellus Scipio at Tibur, the modern Tivoli, about fourteen miles from Rome, and for more than a fortnight in sullen anger he brooded over the reply he was to make. Cicero says that he hired a rhetorician to teach him how to declaim, permitting him, as an imaginary opponent, to say what he pleased against him, that he might answer it, — an easy task for the master, Cicero sarcastically observed, when the materials for attacking his pupil were so abundant. And he afterwards told the Senate that Antony declaimed to make himself thirsty, and enable him to drink.

He summoned another meeting of the Senate for the nineteenth of September, and went to Rome prepared to confront his antagonist and overwhelm him with the speech which he had so carefully prepared. But, yielding to the urgent persuasions of his friends, Cicero stayed away; and he afterwards declared that, if he had not done so, he would have been murdered. And this is by no means improbable; for Antony took care to have a guard of soldiers in attendance at the door, and even within the walls of the Senate-house, under the pretext of preserving order, but in reality to overawe the senators, and be in readiness to execute any desperate enterprise he might suddenly command.

The speech of Antony is lost, but we know the nature of the attack he made on Cicero, from the elaborate reply contained in the second Philippic. He raked together every charge he could think of to damage his opponent, and distorted every act of his life to hold him up to ridicule and hatred. He laughed at his verses, taking care to quote that

unfortunate line — the standing joke of his enemies —

Cedant arma togæ, concedat laurea laudi.

He accused him of being the murderer of Publius Clodius; of severing the friendship between Cæsar and Pompey; and of being privy to the conspiracy against Cæsar, and an accomplice in his assassination. He reproached him with joining the camp of Pompey, and yet alienating that leader from him by his language and ill-timed jests; and, finally, to show how little Cicero was loved or esteemed, he declared that he had received few, if any, legacies from deceased friends.

Such was the catalogue of charges which Cicero had to meet,<sup>1</sup> and it is easy to see how triumphantly he would have been able to answer them if he had been present, and had risen on the instant to reply. But for the reason I have mentioned he was not there; and as it was no longer safe for him to meet Antony face to face in debate, he took a different course. He resolved to write a speech, which should be not only a defence of himself, but a portrait of his adversary, such as, to use his own expression, would make him feel the kindness he had shown him in abstaining from personal attack on the first occasion. The oration seems to have been composed at his villa near Puteoli, about the latter end of October. It was not intended for immediate publication, — perhaps he was then afraid or unwilling to provoke Antony to the extremities which he knew must be the case if the terrible invective got abroad, — but he sent it confidentially to Atticus, and said,

<sup>1</sup> His strong expression is — “*Omnibus est visus, ut ad te antea scripsi, romere suq more, non dicere.*” — *Ad Div. XII. 2.*

"I commit it to your care, and leave the time of publication to your discretion. But when will the day come when you will think it right to send it forth?" And again, "How I fear your criticisms! And yet why should I? What care I for a speech which is not likely to see the light unless the Republic is restored?"

Although the second Philippic was never spoken, it deserves to be carefully perused, not merely as a specimen of invective which in the annals of oratory is unsurpassed, — I might say unrivalled, if I did not recollect the speech of Demosthenes against Midias, — but as a valuable record of facts, throwing much light upon the history of the time. In order to appreciate the full effect which such a speech must have produced if it had been delivered, the reader ought to be well acquainted with the events and characters of the period, and then he will feel how every sentence tells. Some allowance must of course be made for exaggeration, but in its main features, both as a defence of Cicero and an attack upon Antony, it is, I believe, substantially true. But, according to the old dictum, the greater the truth the greater the libel; and it is not surprising that when the time came when Antony had it in his power to gratify his revenge, he should have made Cicero pay for it the penalty of his life. The consul's character is drawn in the darkest colors, and in more than one passage is depicted with a coarseness which would not be tolerated in an oration now.<sup>1</sup> One passage is worth

<sup>1</sup> I had written an analysis of the speech, with a translation of some of the most striking passages, but am compelled by want of space to omit them. It gives us a glimpse of the terrible depravity of morals in ancient Rome.

quoting in the words of old North's translation. "As for prooffe hereof it is reported that at Hippias' marriage, one of his jeasters, he drank wine so lustily all night, that the next morning when he came to pleade before the people assembled in councell, who had sent for him, he being quesie stomached with his surfet he had taken was compelled to lay all before them, and one of his friends held him his gown instead of a basen."

Although Cicero dared not trust himself in the Senate-house, he stayed in Rome, where we find him writing to Cassius at the end of September, and deploring the scantiness of the number of good men that was left to defend the falling fortunes of the Republic.

Antony now ventured to take a more decided course. He had hitherto trimmed between the two parties, the friends and enemies of Cæsar. It was necessary for him to see which way the wind blew. As long as it was uncertain on which side the popular sympathy would declare itself he affected to observe a kind of neutrality. He held out specious professions to Brutus and Cassius, and had on one occasion put down with a high hand a seditious tumult. But as months rolled away, and the demonstrations in favor of the conspirators — all or most of whom were absent from Rome — became weaker and weaker, he took a bolder line. He was afraid that Octavian might outbid him in popular favor by coming forward as the champion of what may be called the Julian party, and he was therefore anxious to show that the memory of Cæsar was equally dear to him. His colleague Dolabella had thrown down the

pillar erected in honor of the deceased Dictator : he would raise a monument to his fame. He therefore placed on the Rostra in the Forum a statue of Cæsar, with the inscription, PARENTI OPTIME MERITO. No more artful epitaph could be conceived than this — none which reflected more strongly on the assassins who had deprived their country of its Parent. It was the well-known form to be seen on the tombstones and sepulchral urns of Rome, by which children expressed their pious gratitude to a father's memory. Cicero felt the censure it implied in its full force. He wrote to Cassius and said : —

“Your friend day by day grows more and more furious. First, in the case of the statue which he has erected on the Rostra with the inscription : PARENTI OPTIME MERITO ; so that you are branded with the name of not only assassins, but even parricides. What do I say ? that *you* are branded. Nay, rather I should say *I*. For the madman declares that I had the chief hand in your glorious deed. Would that I had ! he would be giving us no trouble now.”

Antony had formed a sagacious plan for making himself master of the destinies of Rome, and he proceeded to carry it into execution. I have already mentioned that Decimus Brutus had been appointed by Cæsar governor of Cisalpine Gaul, and that this appointment was confirmed by the Senate after Cæsar's death. Antony resolved to take possession of this important command. Backed by a strong military force, he would then have the capital at his mercy, ready at a moment's notice to sweep down upon it from the wide plains of modern Lombardy. He therefore got the people to bestow the government of Cisalpine Gaul upon himself. This was an unconstitutional if not an illegal act ; for the appoint-

ments to provincial commands rested with the Senate, and that body had already conferred the province upon Decimus Brutus. He treated Antony's appointment as wholly invalid, and prepared himself to hold by the sword the authority which had been bestowed upon him by Cæsar and confirmed by the Senate.

Hearing that the four legions which he had sent for from Macedonia had arrived at Brundisium, Antony left Rome and reached the port on the ninth of October. He there harangued the soldiers, and promised them a donation equivalent in English money to about four pounds a head. But the pampered veterans, who remembered the largesses of Cæsar, treated the offer with contempt. The names of the four legions were the Martial, the Second, the Fourth, and the Thirty-fifth. Antony exerted all his oratory to induce them to join his standard, and succeeded with one of them, either the Second or the Thirty-fifth. But the others refused to follow him; and he took a terrible revenge. Inviting their centurions, to the number of three hundred, under some pretext, to his house, he caused them to be massacred in cold blood before the eyes of himself and his wife Fulvia, whom "the dignified general," as Cicero ironically calls him, had carried with him to the army. Her face was spattered with the blood of the dying men. What an astounding picture these brutal murders give of the state of Rome! They passed almost unnoticed, and the soldiers made no attempt to avenge their officers, but, quitting Brundisium, commenced their march along the eastern coast, leaving it uncertain on which side they would ultimately declare themselves. Antony put himself at the head

of the remaining legion, which was the famous one levied by Cæsar in Gaul, and called *Alaudæ* in addition to its number,<sup>1</sup> and turned his steps towards Rome by the Appian Road, intending to recruit his forces on the march.

In the mean time Cicero left the city and retired to his villa at Puteoli. In a letter to his friend Cornificius, at that time proconsul of Africa, written just before his departure, he deplored the state of the Republic, "if a Republic could be said to exist in a camp," and said, —

"For my own part, amidst all these events, and in every mortal accident, I owe much to philosophy, which not only withdraws me from distracting care, but also arms me against all the assaults of fortune. And I advise you to adopt the same remedy, and consider nothing as an evil which involves no moral blame."

If he had lived at a later and happier period, he would have been able to substitute the word Religion for Philosophy.

At Puteoli he composed, as I have mentioned, the second Philippic, and sent it confidentially to Atticus, who suggested some alterations, which Cicero adopted. He employed himself on his work *De Officiis*; for what else could he do, he asked, but philosophize? but at the same time he kept an eager watch upon political events, which were fast hurrying forward to a crisis. Octavian, who saw that a struggle was imminent, had quitted Rome to visit the military quarters and settlements in different parts of Italy, where the veterans of Cæsar's campaigns were to be found, and he spared neither money nor promises to gain the soldiers to his side. More liberal

<sup>1</sup> Antonium cum legione Alaudarum ad urbem pergere. — *Ad Att.* XVI. 8.

than Antony, he offered them five times the amount he had done, and soon formed the nucleus of a considerable army. He wrote to Cicero, and proposed an interview at Capua or the neighborhood, but this Cicero, with his usual timidity, declined. I say timidity, for this seems to have been his real reason, as he says that it was childish to suppose that it could take place unobserved. He did not think it prudent to commit himself irrevocably in the prospect of a war. He had little confidence in Octavian as a leader. "Look," he wrote to Atticus, "at the name he bears—look at his age!" and he constantly spoke of him as a boy. Finding that Cicero would not meet him as he wished, he sent a friend to consult him as to the course he should adopt. Cicero advised him to go to Rome, where he was likely to have not only the rabble, but, if he inspired confidence in his sincerity, the respectable class of citizens on his side. In telling this to Atticus, he could not help ejaculating, "O, Brutus, where are you? What an opportunity you are losing!" Octavian, on the other hand, kept urging him to take a prominent part himself, and be a second time the savior of the State, telling him that he ought to be in Rome. Cicero found it was easier to give advice than to take it. He quoted a line of Homer as applicable to himself, which he might have adopted as a motto to express the whole of his political career,—

Afraid to fight, and yet ashamed to fly.<sup>1</sup>

But he suddenly determined to return. He thought it better to be on the spot in case any opportunity,

<sup>1</sup> Ἀἰδέσθην μὲν ἀνήνασθαι, δέισαν δ' ὑποδέχθαι. Literally, "they were ashamed to refuse, and yet feared to accept."

where his services might be useful, should occur, and he was not without apprehension lest, if he stayed away much longer, access to the city might be cut off. If war broke out and Antony had the power to exclude him, there was small chance of his entering the city. He therefore left Puteoli early in November, and a short letter which he wrote to Atticus, while stopping on his way at his villa near Sinuessa (*Rocca di Mandragone*), gives a lively picture of the anxiety his journey caused him. It was as follows:—

“ On the seventh of November I reached my country residence at Sinuessa. On the same day it was currently reported that Antony intended to halt at Casilinum. I therefore changed my plan. For I had determined to go straight to Rome by the Appian Road. In that case he would have easily come up with me, for they say he travels with the rapidity of Cæsar. I therefore turned aside from Minturnæ in the direction of Arpinum. I intend to stay to-morrow either at Aquinum or Arcanum (where Quintus had a villa). Now, my dear Atticus, give your whole mind to the question, for it is a matter of importance. There are three courses open to me, to remain at Arpinum, or approach nearer, or go quite to Rome. I will do what you advise. But let me know as soon as possible. I look eagerly for your letter.”

He left his Sinuessa villa next morning before day-break, and on the road a courier met him with a letter from Atticus. It was too dark to read it, and his party had no lights. He had to wait, therefore, until day dawned,—another proof amongst many of his habit of early rising,—and he then found that Atticus had anticipated his question by advising him to leave the Appian Road, and make a *détour* to his villa at Arpinum. He immediately went there, and again consulted his friend as to his future movements,

begging him to write daily. He told him he feared that his honor required him to be at Rome, but he was afraid to go there. It is curious to find him, at this moment of private perplexity and public confusion, declaring that he was smitten with a passion for writing history, and he referred to Atticus to set him right on a point of chronology. In one of his letters from Arpinum he expressed himself in a manner which reminds us of the riddle, "If that man's father is my father's son, what relation is he to me?" for he said, "Your grandfather's great-grandson writes to my father's grandson [in other words, "Your and my nephew Quintus writes to my son Marcus"] that he intends on the nones of December to demand from Antony, at a public meeting, an account of the treasure which was in the temple of Ops." He probably intended this circumlocution as a joke, for there seems to have been no other reason for using it, unless, indeed, he was afraid of the letter falling into improper hands.

He spoke with much bitterness of Dolabella as a man who had been bribed by Antony to betray his country, but his animosity against him was no doubt quickened by the fact that he had gone off to his government in Syria, without paying the money he owed for Tullia's dowry, the want of which just then was very inconvenient to Cicero. For he had several demands to meet, and even Terentia's claim was not yet satisfied. He had also promised to pay a debt which his son had contracted as surety for a friend. For private reasons, therefore, he determined to go to Rome "into the very midst of the fire" (*in ipsam flammam*), and look after his affairs. As to politics,

he said he bade them adieu ; for, according to Hippocrates, medicine ought not to be given when the patient was past hope ; and he told Atticus that he might expect him immediately.

The letter which I have just quoted has a special interest, as the last which he wrote to Atticus, or at all events the last which has been preserved. Indeed, as Cicero remained in Rome until the autumn of the following year, only a short time before his proscription and death, it is very probable that the two friends had not again occasion to correspond. We lose, therefore, the benefit of what is by far the most trustworthy record of his real sentiments, as well as an account of many little incidents which, though beneath the dignity of History, are full of interest in a Biography. The possession of such a friend was the crowning happiness of Cicero's life. It would have perhaps been better for him if Atticus had had in him more of the sterner stuff of Cato, for his own character wanted this more than anything else. But in that case perhaps their intimacy might not have remained so unbroken. They both seem to have taken in the main the same view of politics, in the troublous times in which they lived ; at all events their mutual attachment never suffered even a momentary diminution. It is delightful to contemplate the pure and disinterested course of such a life-long friendship — a calm haven of happiness in the midst of a stormy sea of anxiety and strife. Parting company as we here do with Atticus, it will be interesting to know his subsequent fate. His great object throughout life was to stand well with all parties, and compromise himself with none. He was,

indeed, as he has been called, a kind of political Vicar of Bray, and, like that cautious personage, made friends on all sides. This was not difficult, for he never entered into public life, and thus gave offence to none of the ambitious competitors for power. He passed a luxurious existence as a wealthy private gentleman devoted to literature and art, and keeping an ample table round which he assembled men of the most opposite views in politics. To Cicero he owes his fame, and he shines with the reflected lustre of that great luminary.<sup>1</sup> He passed unharmed through the conflict of the Civil War and the terror of the proscription, dying B. C. 32, at the advanced age of seventy-seven, of voluntary starvation, which he inflicted on himself when he found that he was attacked by an incurable complaint.

Before Cicero returned to Rome, some important events had happened in the interval. While Antony was still absent, Octavian collected a body of about ten thousand troops from different garrisons and military settlements in Italy, and advanced upon the Capital. He entered the city and harangued the people, taking care to show that he venerated his uncle's memory. He pointed with his right hand to the statue of Cæsar on the Rostra, and addressed it in a solemn adjuration. This gave little hope to the anti-Julian party, and made Cicero exclaim in Greek when he heard of it, "I should be sorry to be saved by such a man as that!" But Cæsar's veterans who had followed Octavian to Rome did not like the idea

<sup>1</sup> Nomen Attici perire Ciceronis Epistolæ non sinunt. Nihil illi profuisset gener Agrippa et Tiberius progener, et Drusus Cæsar pronepos: inter tam magna nomina taceretur, nisi Cicero eum applicuisset. — Seneca, *Epist.* 21.

of fighting against Antony. As consul he was the legitimate commander of the army of Rome, and he had given ample proof that he identified his own cause with that of Cæsar, their murdered general. A contest between Octavian and Antony could only, they thought, benefit the party of Brutus, whom they hated as assassins. They therefore began to leave the city in such numbers that Octavian had only a small force left. His position was highly critical, for Antony was marching up at the head of the *Alaudæ* legion and other reinforcements. It was no longer safe to stay within the walls, and he hastily withdrew to Arretium, to the northeast of Rome, which he made the place of rendezvous for his troops.

Almost at the same time, or immediately afterwards, Antony entered the city, with a large train of followers, but he left the bulk of his army at Tibur. Cicero describes his march through the streets amidst the groans of the populace, and says that, as he passed by the houses of those who were obnoxious to him on the right and left, he pointed to them in a threatening manner, and told his followers that he would give up the city to plunder. He was consul, and, as Dolabella was absent in the East, sole acting-consul at Rome. This gave him an immense advantage, which none of his opponents enjoyed. He could treat his personal enemies as enemies of the State. To summon legions to his standard was in him an act of rightful authority; in them it was an act of rebellion.<sup>1</sup> He immediately issued proclamations denouncing the conduct of Octavian. He compared

<sup>1</sup> To get over this, Cicero afterwards argued that Antony had by his crimes forfeited the rank of consul. — *Phil.* III. 6.

him to Spartacus, reproached him with being of ignoble birth, and accused him of all kinds of vice, as if the purity of his own life entitled him to play the part of a censor. He summoned a meeting of the Senate for the twenty-fourth of November, and declared that whoever did not attend would avow himself a conspirator against Antony and his country. But when the day arrived, he did not appear, as, if we may believe Cicero, he had drunk too hard to be able to come. He therefore summoned another meeting for the twenty-eighth, in the Temple of Jupiter, on the Capitol, and slunk up to it by a subterranean passage which seems to have been made at the time when the Gauls captured Rome, and was called *Gal-lorum Cuniculus*. By an arbitrary edict he had forbidden, under pain of death, three of the tribunes to be present, afraid apparently lest they might exercise their veto. It was no secret that his object was to get the Senate to pass a resolution declaring Octavian a public enemy. But when he rose to speak, either his resolution had failed him, or he thought the right moment had not come, for the anxious Senators found that the only business he had to lay before them was a proposal for a thanksgiving in honor of Lepidus, who had a military command in Gaul. At the same instant startling news suddenly arrived which completely disconcerted him. Of the three legions that had left Brundisium and marched northwards along the Adriatic coast, two, the Martial and the Fourth, had just declared for Octavian, and taken up their position at Alba, within a few miles of Rome. We must not suppose that this was merely like the loss of a couple of regiments in a modern army. The strength

of a Roman legion at the time of which we are speaking was about six thousand men, so that the amount subtracted from the force on which Antony reckoned would, by the defection of the two legions, be twelve thousand soldiers, and these, as veterans in the campaigns of Cæsar, the very flower of his troops. He was frightened out of his wits, and hurried over the motion for a thanksgiving by immediately calling for a division, — a thing which in such a case, as Cicero says, had never been done before.<sup>1</sup> He then hastened from the Senate-house the instant that the resolution was passed, and, changing his consular robe for the military dress of a general (*paludatus*), quitted or rather flew from the city to Alba, to try and bring back the troops to his standard.

The Senate met again in the evening, and proceeded to ballot for the provisional governments of the following year. This ought to have been done under the presidency of Antony, and several of the Senators, who were eligible for the appointments, seem to have availed themselves of the objection that he was absent, and to have withdrawn their names. In the ironical account that Cicero gives of the ballot, he implies that some unfair trick was used to give Antony's friends the provinces they wanted. Addressing the Senate soon afterwards, in the speech known as the third Philippic, he said, "Caius Antony got Macedonia. Lucky man! for he was always talking of that province. Caius Calvisius got Africa. Nothing could be more lucky; for he had just quitted

<sup>1</sup> The reason why Antony resorted to it probably was because it was the shortest mode of passing the resolution, and he was in a desperate hurry. I suppose it was thought an undignified mode of carrying so solemn a measure as a *supplicatio*.

Africa, and, as if divining that he would return there, had left two of his legates at Utica." But the luck was not all on one side. M. Iccius got Sicily, and Q. Cassius Spain. Cassius was the brother of the conspirator, and Iccius belonged to the same party. "In their case," said Cicero, "I have no cause to suspect foul play. I suppose the ballot for those two provinces was not so *providentially* directed!"

Antony did not succeed in shaking the resolution of the legions at Alba, who had chosen Octavian as their leader. He, therefore, hastened to Tibur, to join the troops that had rallied round his own standard, and distributed money amongst them to keep them in good humor. A fifth legion had by this time come back from Macedonia, and placed itself under his command, so that, including the new levies he had raised, he found himself at the head of a respectable force of four legions, or twenty-four thousand men. Octavian had about the same number, but in addition to these it must be remembered that he could reckon upon the coöperation of the army commanded by Decimus Brutus in Cisalpine Gaul, of which it was the avowed object of Antony to seize possession. Brutus acted with spirit and firmness. He issued a proclamation declaring his resolve to hold the province which had been bestowed on him by the authority of the Senate, and levied troops to oppose the approach of Antony.

The newly elected tribunes who had just entered into office convoked the Senate on the twentieth of December, to take into consideration a proposal to allow the consuls elect a military guard on the first of January, for the protection of the Senate, which

would meet on that day. Cicero, who had returned to Rome on the ninth, went early, and, when it was buzzed abroad that he was there, the Senators flocked in numbers to the House (or more properly, the Temple), in hopes of hearing him once more. And they were not disappointed. He rose and delivered the oration known as the third Philippic.

It was an excellent speech for the objects he had in view, which were to denounce Antony as a public enemy, and show the Senate the necessity of energetic and immediate action. He praised Octavian to the skies for the spirit he had shown in raising levies of troops at his own expense, and Decimus Brutus for his firmness in holding Cisalpine Gaul, and the inhabitants of the province, which he called "the flower of Italy," for their zeal and unanimity in rallying round their governor. He advised that the best military commanders should be appointed to lead the troops, and that liberal promises of reward should be made to the soldiers. He declared that Antony was worse than Tarquin, and insisted that he could no longer, with any consistency on their part, be regarded as consul; for they applauded the conduct of Brutus, and yet he was acting contrary to law in opposing Antony, if Antony was really consul. They applauded the conduct of the legions that deserted him, and yet those legions were guilty, and deserved the punishment of mutiny, if Antony was consul.

He ridiculed the attempt of Antony to throw discredit upon Octavian because his mother was a native of a provincial town (Aricia, in Latium, at the foot of the Mons Albanus). He said that if that was

a stigma, it applied to nearly the whole body of Senators, for almost all were sprung from a provincial stock; and he retorted upon Antony that his wife Fulvia was the daughter of a nobody from Tusculum, nicknamed Bambalio because he was a stutterer and a fool. He ridiculed also the bad Latin of his proclamations, in a way that reminds us of Cobbett criticizing the bad English of a royal speech. After describing his character and conduct in the darkest colors, he earnestly adjured the Senate not to lose the present opportunity afforded by the kindness of the immortal gods; for Antony was caught in front, flank, and rear, if he entered Cisalpine Gaul. If he was suffered to escape and became victorious, the provinces had nothing to expect but servitude and disgrace. "But," he exclaimed, "if (may Heaven avert the omen!) the last hour of the Republic has arrived, let us, the foremost men in all the world, do what noble gladiators do to fall with honor. Let us rather die with dignity than serve with ignominy." He concluded by declaring his opinion that it should be resolved that Pansa and Hirtius, the consuls-elect, should provide for the safety of the Senate, at the meeting of the first of January; that Decimus Brutus had deserved well of the State, in upholding the authority of the Senate and the liberties of the people, and ought to keep his province; that the other provincial governors should retain their respective commands until successors were appointed by a resolution of the Senate; that honors should be paid and thanks given to Octavian (or Caius Cæsar, as he designated him) and the Fourth and Martial legions, and the veteran soldiers who rallied round him; and

that as soon as the consuls-elect entered upon office, they should bring all these questions before the Senate, in the way they deemed best for the advantage of the Republic, and most consistent with their duty.

A resolution was passed in the terms that Cicero proposed, and he then immediately went to the Forum, and on the same day addressed from the Rostra a crowded meeting of the people, telling them that, although Antony had not been formally declared a public enemy by the Senate, he was in effect treated by them as such. He went over much of the same ground as in his previous speech, and did his utmost to inflame the passions of his audience.

It is probable that about this time he put into general circulation his second Philippic. He had completely broken with Antony, and set him at defiance. The temptation, therefore, was great, to publish that attack which he had so carefully elaborated in his retirement at Puteoli. Either he or Antony must fall; and his safety depended on the success of his attempt to raise the hatred of his countrymen against their unworthy consul.

For war was now inevitable. Antony was leading his troops along the defiles of the Apennines to take forcible possession of Cisalpine Gaul, and Decimus Brutus had thrown himself into Mutina, the modern Modena, at the foot of the northern range of the same mountains. He occupied the town with a strong garrison, and was resolved to defend it to the last extremity. He relied of course upon the assistance of Octavian, who was in the field with his hastily col-

lected levies, strengthened, however, by three of the well-disciplined legions from Macedonia; and also upon the forces which the new consuls would be able to raise whenever they entered upon office, on the first of January. On that day Antony would cease to have any legal right to command a Roman army, and all his authority would pass to Hirtius and Pansa, his successors. And as the Senate had in effect ratified the act of Octavian in levying troops, the armies which the Republic could call its own, and on which it could rely to oppose Antony, would be represented by the triple union of the forces of the Consuls, Octavian, and Brutus. The other forces of the Republic, exclusive of those to the east of Italy, were thus distributed. Pollio had two legions in Spain; Lepidus, four in the north of Spain and the Narbonensian province of Gaul; Plancus, three in the rest of Gaul. Cicero was very anxious to secure Plancus on the side of the Senate against Antony, and wrote to him at the end of the year. They were on the best terms with each other, and Plancus, if we may believe his professions, regarded him with feelings of affectionate respect. He and Decimus Brutus had been designated by Cæsar as consuls for the next year but one, and as all the "acts" of the deceased Dictator were ratified by the Senate, they would then enter upon that high office, if nothing unforeseen occurred to prevent it. At the end of December Plancus wrote to Cicero in answer to a letter he had received from him in November. He said his only wish was to devote all his energies to the service of the Republic. But he had to keep a careful watch upon the movements of the Gauls, lest they should

think the confusion in Italy a good opportunity for revolt. Cicero was delighted to hear such sentiments from a man who was at the head of so many disciplined battalions, and he wrote to him in lavish terms of flattery and compliment. He earnestly exhorted him to pursue the path of true glory, by supporting the cause of the Republic. "You are," he said, "consul-elect in the flower of your age, gifted with the highest order of eloquence, and this at a time when our Fatherland is bereaved of almost all her children, such as you." But, alas for promises and professions made by the slippery sons of Rome! In a few short months Plancus joined his forces to those of Antony and Lepidus, and abandoned the side of Cicero and the Senate.

## CHAPTER XXIII.

## THE EMBASSY TO ANTONY.

ÆT. 64. B. C. 43.

WE have reached the last year of Cicero's life. The horizon was dark and stormy, but yet light seemed to be breaking through the gloom. Antony was no longer a consul, in lawful command of a Roman army, but a private citizen, engaged in a desperate rebellion. The Senate had all but declared him a public enemy, even while armed with consular authority, and the people had applauded when Cicero denounced him as worse than Spartacus or Catiline. The net in which he was to be caught was fast closing around him. Octavian, at the head of an army formidable in numbers and in discipline, was marching rapidly upon him, and in his front was Decimus Brutus holding him in check before the walls of Mutina. If the new consuls acted as Cicero hoped and believed they would act, it seemed inevitable that he must fall. But upon them everything depended; for if they wavered and refused to employ against him the forces at their command, it was possible that Octavian might be defeated, in which case Mutina would fall, and Antony would become master of Cisalpine Gaul.

Aulus Hirtius and Caius Vibius Pansa, who began

their consulship at this eventful crisis, had both belonged to the Julian party, and owed everything to Cæsar. Hirtius had been one of his legates in Gaul, and received afterwards from him the government of the northern part of that province, corresponding to the modern Belgium. Pansa had been appointed by him governor of Cisalpine Gaul, as successor to Marcus Brutus. Both owed to him their elevation to the consulship, to which he had nominated them by virtue of his sovereign power as Dictator. Since his death they had observed a cautious neutrality, and abstained almost entirely from politics. They both, and especially Hirtius, had kept on good terms with Cicero; but, whatever he might think it politic to say in public, his private correspondence shows that he had no great confidence in either of them. Their conduct, however, seems to have been loyal and sincere. They naturally did not wish to drive Antony to extremities, and destroy all hope of an accommodation, the failure of which must result in another civil war, perhaps as bloody and ruinous as the last. And besides, they could not forget that his immediate antagonist was Decimus Brutus, one of the assassins of their friend and benefactor Cæsar; and, with the exception of Octavian, the party most violently opposed to him was the party of the conspirators, men who gloried in the murder of him whose statue yet stood in the Forum, with the inscription proclaiming him "the Father of his Country." They therefore determined to temporize, and endeavor to bring back Antony to his allegiance.

The Senate met on the first of January, in the Temple of Jupiter, on the Capitol; and, after the in-

augural ceremonies of religion, according to ancient custom, the consuls brought forward the pressing question of the moment—how they were to deal with Antony in arms. They both spoke in a tone that pleased Cicero, who cheered himself with the hope that they would act with as much vigor and firmness as their speeches implied. But he was soon undeceived. By an obviously preconcerted arrangement they called on Fufius Calenus, Pansa's father-in-law, to rise first and deliver his opinion. He had in old days, as tribune of the people, actively assisted Clodius to obtain an acquittal on his trial for the violation of the mysteries of the Bona Dea. Since then he had distinguished himself as an ardent partisan of Cæsar, and was by him substituted consul, B. C. 47 (*consul suffectus*), for the last three months of that year. In one of his letters, written in the previous year, Cicero calls him a personal enemy of himself, and at this very time Antony's wife, Fulvia, and her children were staying under the protection of his roof. It was an ominous circumstance that he should be chosen to speak first, and, as it were, lead the debate at such a momentous crisis; although his near relationship to one of the consuls not only gave a pretext for, but justified, the precedence that was thus given him.

His advice was that an embassy should be sent to Antony, calling upon him to retire from Mutina, and submit himself to the authority of the Senate. L. Piso and other senators of consular rank followed on the same side, and at last it came to Cicero's turn to speak. He rose and delivered the oration known as the fifth Philippic. It may be described in the words

put by Milton into the mouth of Moloch, in the second book of "Paradise Lost" —

My sentence is for open war: of wiles  
More unexpert I boast not: them let those  
Contrive who need, or when they need; not now.

He regretted that he had not been called on to speak after the other ex-consuls had delivered their opinions, for then he would have been able to reply upon them all; and he feared that others would follow him who were prepared to go the length of proposing that Antony should have the province of Gaul, of which Plancus was governor.

"What," he exclaimed, "is this, but to put arms in the hands of an enemy for the purpose of civil war? . . . The pleas you urge are of no avail. 'He is my friend,' says one. Let him first show himself the friend of his country. 'He is my relative,' cries another. Can there be any relationship closer than that of one's country, which embraces even one's parents? 'He owes me money,' do I hear? I should like to see the man who would dare to say it."

Again:

"Does Antony wish for peace? Let him lay aside his arms. He will find no one more equitable than myself, of whom, while he throws himself on the support of impious citizens, he had rather be the enemy than the friend. There is nothing which can be granted to him while he carries on war: there may perhaps be something which will be given if he sues as a suppliant."

He went over his former ground of argument to show the inconsistency of sending ambassadors to a man whom, by their previous acts in honor of the generals and troops who had marched against him, they had already denounced as his country's foe. He reviewed the conduct of Antony, and charged him

with all the nefarious acts of which he had been guilty in forging Cæsar's papers and making a market of his grants for his own private emolument. He amused his audience with a sarcastic account of what Antony had done to increase the number of the body of jurymen at Rome. Cæsar, indeed, had placed among them common soldiers, privates from the ranks, and the men of the *Alaudæ* legion ; but Antony had added gamblers and exiles, and even Greeks ! He made himself merry with the idea of a member of the court of Areopagus being summoned to serve on a Roman trial, and excusing himself on the ground that he could not serve at the same moment at Athens and at Rome. Did some of them even know the Latin language ? Were they acquainted with the laws and customs of Rome ? Fancy such a man as Cyda from Crete sitting on a trial — a monster of audacity and crime ! Antony, he said, alone, of all men since the foundation of the city, kept openly an armed force within the walls. This the old kings had never done, nor those who, after their expulsion, had aimed at monarchy.

“I remember Cinna,” he cried, “I have seen Sylla, and not long ago Cæsar ; — these three, since the time when freedom was given to the state by Lucius Brutus, made themselves more powerful than the whole Republic. I cannot assert that they were never attended by armed guards, but this I do say, that the guards were few, and kept in the background. But this pestilent fellow was followed by a whole squadron of armed men. Classitius, Mustella, Tiro, and creatures like them, brandished their swords, and led their bands through the Forum, — nay, barbarian bowmen stood here in battle array.”

He denounced, in the strongest language, the idea of sending an embassy to Antony, and advised that

not war (*bellum*) but a "tumult" (*tumultus*) should be proclaimed,<sup>1</sup> — that a levy *en masse* should be decreed, — a military uniform (*saga*) be generally assumed, and the courts of justice closed. He then proposed, in much the same form as in his previous speech, that a public vote of thanks should be decreed by the Senate to Decimus Brutus and to Lepidus, and that a gilt equestrian statue of Lepidus should be placed on the Rostra, or in any other part of the Forum he preferred. As for Octavian — or Caius Cæsar, as he always took care to designate him — he seemed to feel a difficulty in finding language sufficiently complimentary in praise of him. He proposed that he should be formally invested with a military command, — it must be remembered that up to this time Octavian had been levying troops, and was at the head of a military force without any legal authority, — and that he should have the rank of a proprætor, sit in the Senate in the place allotted to the prætors, and be at liberty to become a candidate for any of the higher State offices. As to the objection that he was under the legal age, Cicero reminded the Senate that distinguished excellence anticipated the march of years. With an earnestness which was little prescient of futurity, he scouted the idea that Octavian might become intoxicated with such honors, and forget the duty he owed to the Republic. True glory consisted in securing the esteem and love of the Senate and the people, and the man who enjoyed this would think no other glory

<sup>1</sup> The distinction was this: *bellum* applied to a foreign war, *tumultus* to a domestic insurrection, or the threat of a Gallic invasion, owing to the close proximity of Gaul to Italy. In the case of a *tumultus* all furloughs were called in, but not so in the case of *bellum*.

comparable to it. "I will venture, Conscript Fathers," he exclaimed, "to pledge my honor to you and the Roman people, — I promise, I undertake, I guarantee that Caius Cæsar will always prove himself such a citizen as he is to-day, and such as we ought most to wish and desire him to be." It is very likely that Cicero was quite sincere in saying this; for, whatever may have been his former doubts of Octavian, they were chiefly lest he might make common cause with Antony. But the young adventurer was committed to open hostility against the consul, and was fighting on the side of the Senate and the Republic. And no one could have then dreamed that he would so soon be guilty of betraying the cause he had adopted, and forming a coalition with Antony at the moment when victory had crowned his own eagles, and his adversary was a fugitive from the field of battle he had lost. Cicero concluded by moving that rewards should be given to the legions that had joined Octavian.

It is here that Dio Cassius introduces Fufius Calenus on the scene. He represents him as rising *after* Cicero, and making a most bitter and malevolent attack upon him. There can, in reality, be no doubt that he spoke *before* him; but this would be a trifling mistake. The important fact is that no such speech as Dio puts into the mouth of Fufius was ever spoken at all. It is certain that he would not have *dared*, in the presence of the greatest orator of Rome, to provoke the tremendous reply which such an invective would have drawn down upon him. He would rather have put a blister on his tongue than allowed it to expose him to the castigation he was

sure to receive. But it is clear, from the way in which Cicero speaks of Fufius in subsequent orations, that he had given him no such provocation. That he did make a speech on this occasion we need not doubt, and that in it he defended Antony is not improbable; but we may safely assert that so much of it as is filled with abuse of Cicero, is the mere invention of Dio Cassius himself. The old traditions of Cicero's enemies had come down to his times, and the courtly historian hated the memory of the last and greatest champion of Roman freedom. He therefore seized the opportunity of collecting all the charges against him which those enemies had ever whispered, and threw them together in the form of a speech, which he attributed to Calenus. It is a good example of rhetorical skill, and is well worth reading as an epitome of the accusations which the blind fury of party hate brought against Cicero. It shows the impure nature of the atmosphere in which he lived, and explains the frequent allusions in his correspondence to the envy and malevolence of which he was the object. It may be considered as a kind of monster indictment, which antiquity drew up to blast the character of one of her greatest men. The speech is inordinately long, and I pass over a tedious catalogue of charges in which Cicero's conduct is contrasted with Antony's, his actions are distorted, and his motives blackened, in order to quote at length one passage which, perhaps, better than any other will give the reader an idea of the style, and taste, and truthfulness of this abominable tirade.

“ These, then, Cicero, or Cicerullus, or Ciceræus, or Cicerethus, or Greekling, or whatever other name you rejoice in, are the things

which Antony — the coarse, half-naked, anointed Antony, as you call him — has done. But you did nothing of the kind, — you, who are so clever and so wise, and who make so much more use of oil than of wine, — you, who let your dress trail down to your ankles, not like the dancers on the stage, who express their thoughts by pantomime, but in order to hide the deformity of your legs; for assuredly you don't do it for the sake of decorum, much as you have said about Antony's habits: for who does not observe those thin womanish cloaks that you wear? who does not scent those gray hairs of yours that you keep so well combed? who does not know that you divorced your first wife, who had borne you two children, and married in your old age a young woman in order to be able to pay off your debts by means of her fortune? And yet you did not keep even her, in order that you might with impunity carry on your intrigue with Cærellia, with whom you have committed adultery, although she is as much older than you as you were than your second wife, and to whom you wrote such letters as might be expected to come from a man who is a loose-tongued jester, and makes love to an old woman of seventy. So much I have been led out of my course to say, that he may in such attacks get as good as he brings. But I must not forget that he ventured to bring up against Antony the story of some revel, he himself being as he says only a water-drinker, that he may be able to keep awake at night and compose his speeches, although he makes such a drunkard of his son that he is never sober either by day or night. And, besides, he tried to calumniate Antony's morals, although he himself has been all his life so dissolute and impure that he disregarded the chastity of his nearest relatives; going so far as to prostitute his own wife and seduce his own daughter"!!<sup>1</sup>

On the question of sending an embassy to Antony there was great difference of opinion. The debate was protracted to nightfall, — a very unusual thing in the Roman Senate, — and it was then adjourned.

<sup>1</sup> His enemies had the ineffable baseness to pretend that in the line —

Hic thalamum invasit natæ vetitosque hymenæos —

*Æn.* VI. 623.

Virgil had Cicero in his eye. "Quod Donatus dixit, nefas est credi, dictum esse de Tullio." — Servius, *ad loc.*

Next day and the day after that the discussion was continued, and the great majority of the speakers supported the views of Cicero, so that it seemed certain that his opinions would prevail when the question was put to the vote. But the consuls were afraid, and took care not to call for a division, which it was their business to require at such a period of the debate as they thought fit. At last Salvius, one of the tribunes, extricated them from the difficulty by interposing his veto against putting Cicero's motion to the vote. The result was that the question was carried as Fufius Calenus had proposed, and a resolution was passed for sending the embassy to Antony. Three senators of consular rank, Servius Sulpicius, the first lawyer in Rome, Lucius Piso, the father-in-law of Cæsar, and Lucius Philippus, the step-father of Octavian, were named the commissioners, and the task of drawing up the message they were to deliver was intrusted to Cicero himself. The terms were briefly these. Antony was to abandon the siege of Mutina, to cease from hostilities against Decimus Brutus, to make no inroad into Cisalpine Gaul, and to submit himself to the authority of the Senate and people. Failing obedience to these commands, he was to be treated as a public enemy. The commissioners were also instructed to have an interview with Brutus in Mutina itself, and convey to him and the garrison the sense which the Senate and people of Rome entertained of the services they had rendered to the State, and an assurance of the honors and rewards in store for them.

Vast numbers had in the mean time assembled in the Forum, anxious to hear the result of the long de-

bate ; and loud cries were heard for Cicero to come and address them from the Rostra, as he had done on the former occasion. He obeyed the call, and was introduced to the multitude by the tribune Apuleius. He did not affect to conceal his chagrin that the embassy had been voted contrary to his advice, but he declared his certain conviction that Antony would not listen to the terms imposed upon him.

"Therefore," said Cicero, "let bygones be bygones. Let the commissioners make haste, as I see they intend to do : but do you prepare your uniforms.<sup>1</sup> For it has been decreed that if he does not obey the authority of the Senate, we are all to assume our military dress. The embassy will go ; he will not obey ; and we shall have to regret the loss of so many days of action."

The peroration of the speech is fine :

"The moment has at length arrived, men of Rome, later indeed than became the dignity of the Roman people, but yet so opportune that it cannot be put off for a single hour. Hitherto a kind of fatality has pursued us, and we have borne it as we best could. Henceforth if we suffer, it will be our own fault. It is not right for the Roman people to be slaves, whom the immortal Gods destined to command all nations. Matters have now come to the last extremity. The struggle is for freedom. You must either be victorious — as surely you will be with so much piety and concord — or suffer anything rather than be slaves. Other nations may endure slavery ; but freedom is the attribute of the Roman people."

The embassy set out on its mission, and did not return until the end of January. Hirtius, the consul, also left Rome to join the army that was to act against Antony under the walls of Mutina, although he had been for some time in ill health, and was hardly fit to bear the fatigues of a campaign. In the mean time Cicero wrote to his absent friends,

<sup>1</sup> *Vos saga parate.* The *sagum* was a short military cloak.

Cornificius in Africa, and Plancus in Farther Gaul, to encourage them to oppose the party of Antony, and remain steadfast to the cause of the commonwealth. He wrote also to Decimus Brutus, and told him that a levy of troops was going on at Rome and in the whole of Italy, — if that could be called a levy where everybody volunteered, — so passionate was the desire of all for liberty, and so great their detestation of their long servitude.

He had another opportunity of addressing the Senate before the return of the ambassadors; for a meeting was summoned by Pansa to lay before them some matters not of a political nature, but more like what we should call, in the language of Parliament, private business. They related to the Appian Way and the Roman Mint. But Cicero seized the occasion to speak on the subject that was uppermost in his thoughts — the probable result of the embassy to Antony. His speech is that known as the seventh Philippic.

We can easily imagine that in the interval before the return of the ambassadors, their mission was the one absorbing topic of conversation in Rome. Speculation was rife as to the answer they would bring. Would Antony yield, or set the Senate at defiance? If he proposed terms, ought they to be considered? All sorts of rumors were afloat, and the newsmongers were busy in inventing stories of the mode in which the message of the Senate had been received. Some said (we know this from Cicero himself) that Antony insisted that all armaments should be disbanded; others, that he was willing to resign Cisalpine Gaul, but demanded Farther Gaul as his province;

others, that he limited his claim to Macedonia, and so on.

The object of Cicero in rising to speak was to prepare his countrymen for the rejection of their demands; and his motto was, "No peace with Antony!" He declared that peace with him was at once disgraceful, hazardous, and impossible, and the burden of his speech was to prove each of these three propositions. It will be sufficient to quote one or two passages to give an idea of his eloquent appeal. The following is in style thoroughly Ciceronian. After alluding to the gravity of the crisis, he said:—

"I therefore, who have always been the counsellor of peace, and to whom peace, especially as distinguished from civil war, has been dear beyond all men,—(for my whole career has been passed in the Forum and the Senate, and in defending my friends as an advocate; by which I have gained the highest honors and such moderate means as I possess, and whatever reputation I may enjoy,)—I therefore, I say, who am, so to speak, the disciple of peace,—who, whatever I may be, for I do not arrogate anything to myself,—would assuredly not have been so if we had not enjoyed peace,—I speak at a venture, Conscript Fathers, and dread how you may take it,—out of regard to your honor, for which I feel a constant solicitude, pray and beseech you that you will hear without offence what I shall say, although it may grate upon your ears, or appear incredible that Marc Cicero should say it, and that you will not reject it before I have explained it to you,—I, I again repeat, who have always been the panegyrist and counsellor of peace, am against peace with Marc Antony."

In striking contrast to this long and labored accumulation of words is the noble sentence where he exclaims, "We have repelled the arms of traitors, but we must wrest them from their hands; and if we cannot do this—I will speak as becomes a senator and a Roman—let us die!" This is as fine as

anything in Demosthenes, — perhaps finer, — if we except the adjuration in the speech on the Crown.

After having devoted the whole of his oration to a question which was not properly before the Senate, he dismissed with laconic brevity the subject which was the real question, by turning to the presiding consul, and saying, in conclusion, “As to the matters which you bring before us, I agree in the opinion of P. Servilius.”

The ambassadors had hardly reached the camp of Antony when they lost one of their number by the sudden death of Servius Sulpicius. He was about the same age as Cicero, and was in ill health when he undertook the journey, which on that account he at first sought to decline, but yielded to the strongly expressed wishes of the Senate. He took Cicero aside, and told him that he would rather sacrifice his life than resist their authority. He was not only a great jurist, but one of the most eloquent orators of Rome, and his death at such a juncture was a public calamity. It was so felt and deplored by Cicero, who was besides his intimate friend. When Piso and Philippus had their interview with Antony, they found that he too had terms to make and conditions to offer. This shows that Cicero was right in condemning the embassy as a capital mistake. By sending ambassadors, the Senate seemed to recognize Antony as a belligerent, entitled to all the laws of war. He was addressed as such, and not as a rebel in arms against his country. He therefore treated with them on a footing of equality, and made counter-proposals as the conditions of his obedience. He offered to give up Cisalpine Gaul, but demanded

for five years that portion of Transalpine Gaul called Gallia Comata, with six legions taken from the army of Decimus Brutus. He required further that lands and money should be given to his troops — his own previous grants confirmed — his decrees founded on the alleged contents of Cæsar's papers ratified — no account demanded of the money taken from the Temple of Ops — the *Septemviri*, or commissioners appointed by him to divide lands amongst the veterans of Cæsar, held harmless — his new jury-law not repealed — and the safety of his followers secured by an amnesty. This was the language of a man who was confident in his strength, and resolved to show it. He absolutely refused to allow the two ambassadors to enter Mutina and have an interview with Brutus, pressing forward the siege with unabated vigor while they were in his camp. They had therefore no option but to return to Rome with the unpalatable answer, and Pansa immediately summoned the Senate to receive and consider their report.

Cicero was in the highest degree indignant. He could not brook the idea of having to entertain proposals from Antony, and was very angry with Piso and Philippus for consenting to bring them. His view was that they ought at once to have denounced the arrogant ex-consul when he refused to obey the peremptory orders of the Senate, and that to negotiate with such a man was tantamount to dishonor.

When the Senate met, there was no thought of admitting the demands of Antony, and the only question proposed by the consul was, whether war (*bellum*) should be at once proclaimed. Lucius Cæ-

sar, who was an uncle of Antony, spoke in favor of calling it *tumultus* rather than *bellum*, as the milder term, but in doing so he excused himself on the ground of his near relationship to the ex-consul. He had made a similar excuse, as Cicero afterwards reminded the Senate, when he spoke, at the time of the Catiline conspiracy, in favor of Caius Antonius, who was married to his sister Julia, and was the father of Antony. Fufius Calenus and others followed on the same side, and a resolution was carried to that effect in accordance with the declared wishes of Pansa when he put the question to the vote. This was in direct opposition to the views of Cicero, although it does not appear that he took any part in that day's debate. But next day he rose and delivered a speech, in which, although it was then too late, he strongly expressed a contrary opinion. This was the eighth Philippic.

He argued that it was absurd not to call things by their right names. They were now actually at war. In other struggles, like those in which the actors were Marius, and Sylla, and Cinna, the contending parties might have the excuse that they were fighting on the side of the law, but here Antony could make no such pretence. "As to the last civil war," he said, "I do not like to speak of it — I know not its cause — I abominate the result." He complained bitterly of the conduct of the other members of the consular body, who by their cautious speeches did everything to depress the spirit of the Senate. "We are deserted, Conscript Fathers," he exclaimed, — "deserted, I say, by our leaders. But, as I have often said before, all who at such a time of peril

entertain right and courageous sentiments, they shall be our consulars." He contrasted the conduct of Piso and Philippus, in bringing back counter demands from Antony, with the conduct of Popillius in the time of their ancestors, and mentioned how he had been sent by the Senate to Antiochus to command him to desist from the siege of Alexandria; and how, when Antiochus took refuge in delay, he traced a line round him with a stick on the ground where he stood, and told him that he would report his refusal to the Senate, unless he declared his intentions before he stepped out of the circle Popillius had drawn. He concluded by moving that an amnesty should be granted to all who were with Antony, if before the Ides of March they abandoned him; and that if any one hereafter went to him, excepting only Varius Cotyla, the envoy whom he himself had dispatched to Rome, he should be regarded by the Senate as an enemy of his country.

A day or two afterwards Pansa brought before the Senate the question of paying honors to the memory of Sulpicius, who had died in the public service, on his way as ambassador to Antony. The consul suggested that they should decree a public funeral and a public statue. But Publius Servilius, when called upon to deliver his opinion, objected to the statue on the ground that there was no precedent for erecting one in honor of an envoy who had not been actually killed while employed on his embassy. Cicero followed, and, in opposing the view of Servilius, took the opportunity of delivering a warm eulogium upon his departed friend. As to the question of whether a statue should be voted or not, he said they must

not be guided by mere precedent, but look at the reason of the thing. The object of their ancestors was to induce men to undertake dangerous embassies by holding out to them the prospect of such an honor. Thus, when Lar Tolumnius, king of Veii, put to death four Roman ambassadors at Fidenæ, four statues of them were raised on the Rostra, and stood there within their own memory. But their case did not really differ from the case of Sulpicius. Their embassy was not more fatal to them than his embassy had been to him. The illness from which he died was not one that first attacked him on the journey, but one under which he was suffering before he left. But if he had stayed at home, as he wished, it might have been cured, while the hurry and fatigue of travel rendered recovery hopeless. The embassy was the cause of his death, and Antony was the cause of the embassy. It followed, therefore, that Antony caused his death, as much as the King of Veii caused the deaths of the four ambassadors of Rome. Or, to put the case in another point of view: they themselves—the Senate he was addressing—had deprived Sulpicius of life; for they would not admit his illness as an excuse, but insisted on his undertaking the embassy, of which he had a presentiment that it would kill him. “Restore, then, to him,” he exclaimed, “the life you have taken from him—for the life of the dead consists in the memory of the living. Provide that he whom you unconsciously sent to his death may obtain from you immortality.” He proposed that the statue should not be a gilt equestrian one, but of bronze, and representing Sulpicius on foot. This, he said, was more con-

sonant to the modest character of the man, who hated ostentation, and blamed the arrogance of the age. He concluded, therefore, by moving that a bronze statue, a public funeral, and a tomb at the public cost, should be decreed in honor of the deceased.<sup>1</sup> This was carried in the affirmative; and Pomponius, who flourished in the reign of Aurelian, mentions the statue as existing near the Rostra in his time.

It is impossible not to wish that Atticus had been absent from Rome at this critical period, for then we should no doubt have had several letters which Cicero would have written to him, and we should have been admitted, as it were, behind the scenes. We find him writing to Trebonius in February in a half-angry tone, because, by taking Antony aside at the time of Cæsar's assassination, he had been the means of saving his life. To Cassius he also wrote in encouraging language, to confirm his resolution to hold his province of Syria against all attacks. The news that soon reached him from that quarter was of a favorable kind. Dolabella was on his way to Syria, to wrest from him that province, which they both claimed under the authority of the Senate. Legion after legion had gone over to Cassius's standard, and he was now at Tarichea in Palestine at the head of a formidable army.

It is pleasant to turn from the din of arms and strife of politics, and to catch once more a glimpse of Cicero in private life; to regard him, perhaps for

<sup>1</sup> For the formal terms of the resolution see Phil. IX. 7. One part of it was that a space of five Roman feet round the statue on all sides should be kept clear as standing-room for the children and descendants of Sulpicius, from which they might be spectators of gladiatorial combats and other shows.

the last time, not as an orator and a politician, but as an agreeable companion and a facetious friend. We have, alas! no more letters to Atticus, but one has been preserved which he wrote at the end of February to Pætus, in which he good-humoredly jokes him for having given up dining out. He thought that public troubles were no reason why there should not be "cakes and ale." He advised Pætus therefore to take again to his good old habit, for if not, he would forget how to give a *petit dîner*,<sup>1</sup> at which he was never much of a proficient. There was, he said, nothing like agreeable company and social intercourse to make life pass pleasantly, and a banquet was the place to find them. Therefore, as a philosopher, he advised Pætus to attend to his hint, and dine out. But, resuming a serious tone, he begged him not to think, because he wrote jestingly, that he had dismissed political anxieties from his mind. His whole energies were devoted night and day to the consideration how the safety and freedom of his countrymen might be secured, and he was ready to sacrifice his life in their cause.

Spain was divided into two provinces, and just before his death Cæsar had given the command of one of them, which included also the southeastern extremity of Gaul, to Lepidus, and the other to Asinius Pollio. Lepidus had already declared for Antony, but no intelligence had yet arrived of the course that Pollio would take. At last a letter from him reached Cicero, which was written at Corduba (*Cordova*) on the sixteenth of March. He explained the cause of his silence, of which it seems that Cicero

<sup>1</sup> Cœnulas facere.

had complained, by the extreme difficulty, or rather impossibility, he had experienced of transmitting despatches from his distant province. His couriers were robbed by brigands in the gloomy forests of Castulo, through which they were obliged to pass, and were stopped and searched by the soldiers of Lepidus, who were posted for that purpose. He had therefore been unable to send a letter by land; and, as no one in those days dreamed of sailing in the Mediterranean in the winter, all communication of Pollio with Rome was cut off until its close. Now, however, the sea was open, and the letter that Cicero received came by that route. More than usual interest attaches to Pollio's name, for he was the friend and patron of Virgil and Horace, and lived long into the reign of Augustus. He saved the land of Virgil at Mantua from confiscation, and in gratitude for this the poet dedicated to him his eighth eclogue. He was a critic and historian, and also a distinguished orator and advocate, as we know from the lines of Horace, —

Insigne mæstis præsidium reis  
Et consulenti, Pollio, curiæ, —

and is spoken of by Virgil as a poet, —

Pollio et ipse facit nova carmina.

He wrote to explain his position, and state what his intentions were at the present crisis. He made no scruple in avowing that he hated Antony, and would rather do anything than engage in a common cause with him. That he had taken no active step hitherto was not his fault. He had been cut off from all communication with Rome, and between him and Italy lay the legions of Lepidus, in whose hands were the

passes of the Alps. Cicero might depend on his readiness to face any danger for the cause of liberty. One sentence in the letter should not be omitted, for it shows what congenial spirits the two men were. They had a common friend in Cornelius Gallus, and Pollio said, in alluding to him, "I envy him when I think of his walks and jokes with you. How much I value them you will find out if we are ever permitted to enjoy tranquillity, for I shall attach myself closely to your side."

Such was the letter which Cicero received, and which must have assured him of the loyalty of his accomplished friend. And perhaps he was at the time sincere. But Pollio, like Plancus, Lepidus, and so many others at that trying period, was a time-server, and, as we shall see, when the moment came for putting his professions to the test, he deserted the Senate and went over to Antony.

Good news came also from Macedonia and Greece. There the former proconsul, Q. Hortensius, had acknowledged the authority of M. Brutus as his successor; Antony's brother Caius was shut up in Apollonia, and the place was closely invested. Legion after legion declared against him, and one of them went over to Cicero's son, young Marcus, who was serving with Brutus. The position of parties in the three important provinces of Cisalpine Gaul, Syria, and Macedonia (including Greece), was in fact nearly the same. In each there were rival claimants, each asserting that he was by law entitled to the command. What a picture of confusion was the then state of the Roman world! The Senate and the consuls were in arms against an ex-consul, who

was himself besieging the governor of a Roman province, in one of its chief towns. In Macedonia and the East, viceroy was fighting against viceroy, and in Spain the army of Lepidus was watching the army of Pollio so closely, that not even a courier could pass to Rome without being stopped and robbed of his despatches. The veterans of Cæsar were arrayed against each other in opposite camps. Cæsar's adopted son was bent on the destruction of Cæsar's colleague in the consulship — of the man who had heaped honors on the memory of Cæsar, and was, more than any other, feared by the conspirators, lest he should be the avenger of his death. Octavian was fighting on the same side as Brutus and Cassius: he, who had reproached Antony for remissness in allowing the assassins to escape, was now making common cause with those assassins, and endeavoring to rescue one of them from his grasp. In Rome itself Antony was not without friends — party they could be hardly called, for his chief supporters had followed him to the camp. In direct opposition to them were the Ciceronians; for so, as Appian tells us, the party that followed Cicero as their leader was called. Their creed was that Antony was a far worse despot than Cæsar, and that the liberties of Rome must perish unless he were destroyed.

When the despatch addressed by M. Brutus to the consuls, to inform them of what was going on across the Adriatic, reached Rome, Pansa immediately summoned a meeting of the Senate, and laid the contents before them. The question, in effect, which he proposed was, whether Brutus should be

formally invested with the command of the provinces which he held by right of the sword; and he addressed the Senate in a speech in which he praised his actions in very complimentary terms. But, as usual, he called on Fufius Calenus to rise first and deliver his opinion. He spoke in the negative, and advised that Brutus should be deprived of military command. He was followed by Cicero, in a speech which is known as the tenth Philippic. It must have touched Calenus to the quick, and it may be described in the language applied by David to his enemy, — “The words of his mouth were smoother than butter, but war was in his heart: his words were softer than oil, yet were they drawn swords.” He began by expressing his apprehension lest their constant disagreement in opinion might lessen their friendship, for he still assumed this to exist, however little we may believe in its sincerity. He twitted Fufius with having the misfortune to be almost always in a minority of one, and professed himself utterly at a loss to understand how so excellent a man could attack Brutus and stand up as the champion of Antony. How came he to hate those whom everybody loved, and to love those whom everybody hated? Calenus had done a thing very unusual in the Roman Senate: he had read either the whole or a part of his speech. All the praise he had bestowed on Brutus was to say that his letter to the consuls was well written, and he proposed that the fact should be so recorded. Cicero ridiculed this idea, which he said had not even the excuse of being a hasty and extempore suggestion. He asked who had ever seen a resolution of the Senate approving of the *style* of a letter? Then

turning from Calenus, he pronounced a flowing panegyric upon Marcus Brutus, giving him credit for rather more than he deserved; and he appealed to the Republic herself to say whether she would hand over her legions to Brutus or to Antony. He knew it might be urged that his appointment would be distasteful to the veterans of Cæsar, but there was no force in the objection. In a strain of lofty eloquence he protested against the notion that they were to be terrified by the bugbear of the displeasure of the veterans. He little foresaw that the time would come when Prætorian guards would put up to auction the Imperial throne.

“What,” he exclaimed, “is meant by always bringing up the name of the veterans? I am ready to praise their valor and good conduct, but if they gave themselves airs, I could not endure their arrogance. When we are endeavoring to break the chains of slavery, shall we be stopped because we are told that the veterans are against us? I suppose, forsooth, that there are not innumerable thousands who would take arms to defend the common liberty, and that there is no one but the veteran soldiers whom a noble indignation impels to cast off the yoke of slavery! But be it so — let me say what is true, and at the same time befitting me to speak. If the members of this august body are to be at the beck of the veteran soldiers, and all our words and actions are to be regulated by what pleases them, let us rather choose death, which Roman citizens have always preferred to slavery. . . . Let me concede the point that the issue of war is uncertain and fortune fickle — still we must fight for liberty even at the hazard of our lives. For life is not mere breath — it has no existence in the slave. All other nations may endure the yoke of servitude, but ours cannot. And this for no other reason than that they shun toil and hardship, to escape which they are ready to bear everything; while we have learnt the lesson from our ancestors to make virtue and self-respect the standard of our actions and our thoughts. So glorious is the recovery of freedom that not even death is to be

dreaded in the attempt. But even if by declining the danger we could purchase immortality, that would be a boon to be rejected in proportion as the duration of our servitude would be longer. Since, however, we are exposed day and night to accidents of all kinds, it is not becoming to a man, and least of all to a Roman, to hesitate to give to his country the life which he owes to nature."

He concluded by moving a resolution that the whole military force had been preserved to the Senate, and Quintus Cæpio Brutus,<sup>1</sup> the proconsul, had done good service to the State, and acted in a manner befitting the glory of his ancestors, and had earned the gratitude of the Senate and the Roman people; that he should keep and defend those provinces, and command the army he had raised, and be furnished with money and supplies at the public cost. The motion was carried as Cicero proposed.<sup>2</sup>

Tidings about this time reached Rome that Dolabella had committed a frightful crime. On his way to Syria to contest the government with Cassius, he entered Smyrna with his troops, where Trebonius, the proconsul of Asia Minor, happened to be staying. He paid him a visit and pretended to be on

<sup>1</sup> It will be remembered that Brutus had assumed this name on adoption.

<sup>2</sup> A voluminous correspondence between Cicero and Marcus Brutus is found in Ernesti's and other editions of Cicero's works, collected at the end of the letters *Ad Diversos* or *Familiares*. The general opinion of the best scholars now is that the letters are not genuine. Niebuhr says (*Hist. of Rome*, V. 105), "The question about their genuineness was raised about a hundred years ago by English critics, and I know that F. A. Wolf was decidedly of opinion that they are a fabrication; but I cannot express myself with the same certainty. I should like to see them proved to be spurious, as I am morally convinced that they are." Middleton quotes them constantly, and had no suspicion of their doubtfulness until they were attacked by Tunstall in his famous *Epistola ad Conyers Middleton* (Cantab. 1741). He then defended them, and the controversy was carried on between the two scholars, not without some bitterness on both sides. A recent German writer named Guettingue maintains the genuineness of the letters.

the most friendly terms with him, when he suddenly ordered his soldiers to seize and scourge him in his presence, while he demanded from him the surrender of the public treasure of the province. For two days he subjected the unhappy man to the most cruel tortures, and then had his head cut off and stuck upon the point of a spear, ordering the body to be dragged along the ground and thrown into the sea. This inhuman murder excited feelings of horror and indignation at Rome; all parties joined in execrating it. A meeting of the Senate was called, and Fufius Calenus proposed that Dolabella should be declared a public enemy, and his property confiscated. Cicero followed, and, thanking Calenus for his proposal, energetically supported it. He seized the opportunity of drawing the character of his worthless son-in-law in the darkest colors.

Before he sat down he again alluded to the objection that Cæsar's veterans might be offended by the appointment of Cassius, and again boldly declared that even if it were so, they ought not to be deterred.

"How long," he asked, "are we to deliver our opinions to please the veterans? Is their arrogance come to such a pitch that we are to choose our generals at their dictation? My own view is, for I am determined to say what I think, that we ought not to regard the opinions of the veterans so much as the opinions of the young soldiers — the flower of Italy — the new legions who are eager to give their country freedom — and of the whole of Italy. For nothing flourishes forever — age succeeds to age — the legions of Cæsar have had a long spell of glory — now our Pansas and Hirtiuses and sons of Cæsar and Plancuses have their turn — they are more numerous — they are younger men — their authority has greater weight. For they are carrying on a contest which the whole world applauds. To them rewards have been promised, to the others rewards have been already paid."

From the Senate Cicero went to the Forum, and there addressed the people, telling them what he had said. He was loudly cheered, and in one of his letters he declares that he never knew them so enthusiastic. Although it is slightly anticipating, I may state that Dolabella soon ceased to give any trouble in the war, for having thrown himself into Laodicea, where he was closely besieged by Cassius, in order to escape capture he put an end to his life by suicide.

It is impossible not to admire the energy of Cicero at this period. In Rome he was the life and soul of the opposition to Antony, and he was grander in the last year of his life, when he was animating the Senate and the people to dare everything for the sake of their country, than during his consulship. Nobler accents of eloquence were never heard than those which from time to time burst from his lips, as he thundered against the traitors who were in arms at Mutina; and it is difficult to recognize in the intrepid orator the timid and vacillating correspondent of Atticus. I believe that the real reason of the difference was his unhesitating conviction, now, that he was right. In the civil war between Cæsar and Pompey he was always haunted with the idea that he might be deciding wrong. He could never act boldly unless his conscience was at ease. But he had neither doubts nor misgivings now. He loved his country with a passionate affection, and he saw in Antony her worst enemy. If he was victorious, the liberties of Rome were gone. He would be an infinitely worse ruler than Cæsar, and yet Cicero regarded Cæsar's rule as nothing better than an execrable tyranny. His own safety also was deeply

compromised in the struggle, and nothing but victory could preserve him from destruction. Antony had already, as he tells us in one of the Philippics, given away beforehand his property to one of his creatures, and death was the least that he could expect at the hands of the conqueror. He might be said to fight with a halter round his neck against the enemy of his country and his own.

It was proposed to send a second embassy to Antony, and Pansa brought the question before the Senate. Calenus and Piso, the two who were first asked their opinions, were in favor of it, and they named as the most proper persons to undertake it, P. Servilius and, of all in the world, Cicero! It is easy to imagine his feelings of disgust at such a suggestion. It was bad enough to talk of another embassy at all, but to send *him* on such an errand was intolerable. He rose and protested against the motion altogether, in a speech which forms the twelfth Philippic. I need not dwell upon the arguments with which he combated the proposal of a second embassy, but that part of his speech in which he deprecated the idea that he should be one of the ambassadors, is curious, as illustrating the difference between ancient and modern manners. With us a man who should be selected for a public service of danger would hardly like to confess that the danger alarmed him, or to urge that his life was of too much value to the State to be sacrificed. And yet Cicero did this without scruple.

After entreating the Senate to spare him the pain of an interview with a man who was his bitterest enemy, and with his profligate associates, he asked

them whether they did not think that some regard should be shown for his life.

"I care little for it," he said, "myself, especially since Dolabella has acted in a way to make me desire death, so that it be without tortures and torments. But to you and the Roman people my life ought not to be of no account. For I am one who, unless I deceive myself, by my vigilance and care, and the dangers I have braved from the bitter hatred of wicked men, have at least not injured the Republic — that I may not seem to arrogate anything to myself — and, since this is so, think ye that I ought to pay no regard to my own danger?"

If they would permit it, he said, he wished to remain in Rome.

"This is my station — this my watch-tower — this my fortress and my camp . . . No one is less timid than I am, but at the same time no one is more upon his guard. Facts speak for themselves. It is now twenty years since the scelerats of our country have all been directing their attacks against me. They have paid to the Republic (not to say to myself) the penalty of their crimes — the Republic has hitherto preserved me for herself."

His arguments had the desired effect, and the idea of a second embassy was finally abandoned.

## CHAPTER XXIV.

THE SIEGE AND BATTLES OF MUTINA, AND TREACHERY  
OF OCTAVIAN.

ÆT. 64. B. C. 43.

THE middle of March had arrived, and Pansa left Rome with the levies he had raised, to join his colleague and the army in the neighborhood of Mutina. As spring advanced, Antony had led his legions that wintered in Bononia along the Æmilian Road, which skirted the northern base of the Apennines, and, having effected a junction with the blockading force, was vigorously pressing forward the siege. It is one of the most famous in history, and all the resources that were at that time known to the art of war were exhausted both in the attack and the defence.

The attitude of Lepidus and Plancus in the West gave Cicero some uneasiness. They both wrote letters to the Senate advocating peace. Plancus sought to excuse himself for his apparent hesitation hitherto in declaring himself on the side of the Senate. He said he had to secure the fidelity of his army, and also of the towns of his province, both of which had been tempted by large promises from Antony. Now, however, he was able to speak out. He was at the head of five legions, on all of whom he could thoroughly rely, and they were animated by the best feelings

towards the cause of the Republic. He was willing to bear the whole brunt of the war himself, if he could only, at his own peril, secure the safety of his country, or, at least, delay the approach of danger. Fairer professions than these no man could make, and he wrote to Cicero privately in the same strain. He got the letter early in the morning of the seventh of April, as he was about to leave his house, attended, as usual, by a crowd of admiring friends. He read it with delight, and immediately made known the contents to those around him; and as the public letter of Plancus was almost immediately after put into his hands, he went off at once to show it to Cornutus, the city prætor, upon whom, in the absence of the consuls, their functions by law devolved. He immediately convoked the Senate in the Temple of Jupiter, and, as the news got abroad that an important despatch had arrived, there was a crowded meeting. But, owing to some informality in the religious ceremony with which the proceedings of the Senate always opened, the house was adjourned until the following day. When they met, Servilius was first called on to speak, and it appears that he was not very complimentary to Plancus. Cicero followed, and proposed a vote of thanks to him in highly eulogistic terms. This would have been carried at once, but Servilius induced one of the tribunes to interpose his veto. The consequence was that the debate was again adjourned; and next day Cicero made a still more energetic appeal in favor of Plancus, and finally carried his point.

A letter was addressed by Antony at this juncture to Hirtius and Octavian, which Hirtius immediately

transmitted to Cicero, with permission to read it to the Senate, or, if he thought fit, to the people at a public meeting. We know its contents from the long and sarcastic comment which he made upon them. They consisted of a catalogue of all the grievances of which Antony complained. In it he said :

“ Fortune has hitherto avoided the spectacle of two armies that belong to the same body politic fighting together, with Cicero, like a master of gladiators, pitting the two against each other. He is so far lucky that he has deceived you with the same glozing tongue with which he boasted that he deceived Caesar. I am resolved not to bear any insult to myself or my friends, nor to desert the party which Pompey hated, nor to allow the veterans to be expelled from their settlements, and put one by one to the torture, nor to break faith with Dolabella, nor violate my league with Lepidus, a man most scrupulous in the discharge of duty,<sup>1</sup> nor betray Plancus, the partner of my counsels. . . . Finally my views may be summed up thus : — I can bear the injuries done by my friends, if either they themselves are willing to forget them, or are ready to avenge with me the death of Caesar. I do not believe that any ambassadors are coming, but when they do come I shall know the demands they bring.”

With this insolent letter in his hand, Cicero entered the Senate-house, for another meeting had been summoned to take into consideration the public letter of Lepidus. Servilius proposed that Lepidus should be thanked for his love of peace, and the interest he took in the welfare of his country, but, at the same time, be informed that he had better leave the matter to the Senate, whose opinion was that there could be no peace with Antony unless he laid down his arms. Cicero rose afterwards, and delivered the

<sup>1</sup> *Püssini*. Cicero ridiculed Antony for coining this superlative, which was not Latin, as every schoolboy at the present day knows: “quod verbum omnino nullum in linguâ Latinâ est.” — *Phil.* XIII. 19.

oration known as the thirteenth Philippic. It is, perhaps, with the exception of that against Piso, the most savage of all his speeches; and he poured out the full fury of his hatred against Antony in a torrent of invective which is almost without a parallel.

After insisting that peace with such men as Antony and his associates was impossible, he praised Lepidus in his usual style of lofty compliment, and said that so good a man and citizen might possibly be mistaken in opinion, but could not be suspected of any view hostile to the commonwealth. He declared, —

“The struggle is to save Decimus Brutus from destruction. One infuriated gladiator, with a band of execrable brigands, is carrying on war against his country, his household gods, our hearths and altars, and against four consuls. Can we yield to him? Can we listen to his terms? Can we believe peace possible with *him*?”

He afterwards took Antony's letter, and, reading it sentence by sentence, kept up a running fire of bitter and sarcastic remarks. Some of them are worth quoting; although the constant repetition of violent abuse is tedious. When he read the passage in which Antony expressed his joy that Trebonius had fallen a victim as an offering to the *manes* of Cæsar, he cried out, —

“O Spartacus, for what else can I call you? owing to whose nefarious crimes Catiline appears tolerable; have you dared to write that we ought to exult that Trebonius was punished? Trebonius criminal? Of what crime was he guilty except that he saved you by drawing you aside from the death that was your due?”

Then, referring to what Antony had said about his surprise at the conduct of Hirtius, who had been

elevated to his high position by the kindness of Cæsar, he went on, —

“For my own part I cannot deny that Hirtius had honors conferred on him by Cæsar; but these honors, accompanied as they are by virtue and industry, are his ornament. You, however, who also cannot deny that you had honors heaped upon you by Cæsar—what would you have been if he had not bestowed so much upon you? Would your virtue or your birth have given you advancement? You would have wasted your whole life, as in fact you did, in the stews, at the gaming-table, and in drunkenness, when you gave yourself up, soul and body, to the embraces of ballet-girls.”<sup>1</sup>

Antony had called the Senate “Pompey’s camp,” and Cicero seized the opportunity of contrasting the rebel senators in the camp at Mutina with the senators of Rome. There was to be found the ruined bankrupt Trebellius, who had cheated his creditors; there Bestia, and Annius, and Gallius, and Cœlius, and Cotyla, — men whom Antony, by way of amusement, got whipped by public slaves at one of his feasts. There were Lento and Nuccula, and that pet favorite of the people, Lucius Antony; two tribunes elect, one of them Tullus Hostilius, who abandoned his commander when he could not betray him, and the other Viseius, a stout robber, and once a common bath-man. There was Tillus Plancus, who, if he had loved the Senate, would not have set the Senate-house on fire; and who had falsified the prophecy that he could not perish unless his leg was broken. His leg was broken, but he still lived. There were Decius, and Saxa, — a barbarian who was made a tribune before

<sup>1</sup> Cicero here makes a shockingly bad pun, which is quite untranslatable: — “Cum in gremio mimarum mentum mentemque deponeres.”

he was known, as a citizen — and Exitius, and the self-constituted senator Asinius. He saw the Senate-house open after Cæsar's death, and, slipping off his sandals and putting on buskins, was suddenly metamorphosed into a Conscript Father! <sup>1</sup> Albedius did not know; but no one was so calumnious as to deny that he was a worthy member of Antony's Senate.

“Such then,” he exclaimed, “was the Senate on which Antony plumes himself when he talks in scorn of a Pompeian Senate, in which ten of us have been consuls; and if all now lived, this war would not have happened, for audacity would have yielded to authority. But what power the rest would have exerted may be inferred from the fact that I, left alone out of many, have singly, with your support, confounded and crushed the boldness of the exulting brigand.”

He then mournfully went over the names of the consular senators they had lost, — Sulpicius, and Marcellus, and Afranius, and Lentulus, and Bibulus, and Domitius, and Appius Claudius, and Publius Scipio, — and gave appropriate praise to the memory of each. Alluding to the epithet of *lanista*, which Antony had applied to himself, he said, “I will brand him with eternal infamy, and my invective shall be the truth. I a master of gladiators! Yes, and no novice in my trade. For I wish the throats of the worst amongst them to be cut, and the better men to win the day.” In concluding his speech, Cicero briefly said that he agreed in the opinion of Servilius, who had preceded him, and added, as his own motion, that the thanks

<sup>1</sup> “Mutavit calceos: pater conscriptus repente factus est.” The Senators at Rome wore a distinctive kind of shoes, which were high like buskins, and fastened in front with four black strings. They were also ornamented with a small crescent.

“Appositam nigræ lunam subtexit alatæ.” — *Juv.* VII. 192.

of the Senate should be given to Sextus, or, as he called him, "Magnus Pompeius, the son of Cnæus," for promising the assistance of himself and his followers to the Senate and Roman people.

After he left the Senate-house, at the conclusion of the debate, Cicero wrote a short and dry letter to Lepidus, the tone of which showed that he was by no means pleased with the officious step he had taken in recommending peace. We know, from the letter of Asinius Pollio before quoted, that Lepidus had openly declared his adhesion to Antony; and this must have been perfectly well known to Cicero, although he thought it politic, both in his speech and his letter, to assume that he was still loyal to the Republic. But he said enough to show that he was on his guard, and, with the Senate and people on his side, was not to be frightened by the defection of the governor of a province.

He wrote about this time, that is, in April, to his friend Cornificius in Africa, in a cheerful tone, and described himself as full of hope — constantly busied in public affairs, and the open and determined foe of all the enemies of his country. He said he thought that success now was not difficult to attain, and would have been extremely easy if all had done their duty. To Cassius he wrote that matters had come to a crisis, and that Decimus Brutus was hardly able to hold out at Mutina. "If he is saved," he said, "we are victorious; but if not (may Heaven avert the omen!), we shall all look to you and Marcus Brutus for safety."

It must have been an anxious time at Rome in that month of April, B. C. 43, when, day after day,

men were expecting to hear of a battle which would decide the fate of the Republic. Protected by a fortified camp before the walls of Mutina, Antony pressed forward the siege ; but glorious news arrived in the capital in the middle of the month. A great battle had been fought, and Antony was defeated. After he had evacuated Bononia to join the besieging force before Mutina, the place was occupied without resistance by the united columns of Hirtius and Octavian. Soon afterwards they advanced along the Æmilian road towards Mutina, but were checked by the river, which Antony had strongly guarded. It was of the last importance that they should communicate their approach to Brutus, and encourage him to hold out to extremity, for he was hard pressed, and the garrison was suffering from the want of provisions. Hirtius therefore employed divers, who were to carry despatches written on pieces of lead, and swim across the river under water. He hoped that when they gained the opposite bank they would be able to get into Mutina unobserved. But the stratagem was discovered by Antony, and he adopted an ingenious expedient to baffle it. He caused nets to be sunk in the river in different places, and in these the luckless divers were caught, and hauled on shore. We can imagine the rough merriment in the camp when an unfortunate swimmer was brought to the surface, struggling like a huge porpoise in the net. When this plan failed, Hirtius made use of pigeons as his messengers ; and, as there were no muskets in those days to arrest their flight, they were able to wing their way safely to the town, and carry the letters that were attached

to their wings. At last Antony heard that Pansa was near at hand, at the head of the strong reinforcements he had brought from Rome, and he felt how important it was to strike a decisive blow before the relieving army was joined by these additional troops. Leaving, therefore, his brother Lucius in command of the camp, with sufficient numbers to keep Brutus in check, he advanced with the rest of his forces to attack Hirtius and Octavian. I do not know the exact spot they occupied, but it seems to have been at some little distance off the Æmilian road, between Mutina and a place called Forum Gallorum, a few miles from Bononia. For several days the hostile armies confronted each other, but no collision took place, except in partial skirmishes between the cavalry, as foraging parties on both sides were sent out and came into collision. But Antony made a strong reconnoissance, and drove Hirtius and Octavian back into their camp. The rest may be told in the words of Galba, one of Hirtius's officers, who commanded the Martial legion, and who sent Cicero a letter giving an account of the battle.<sup>1</sup> It is a model of soldierly simplicity, and, in the abrupt style in which it begins, reminds us of the famous despatch of the Duke of Wellington written on the day after the battle of Waterloo, which commences with the words, "Buonaparte . . . . advanced on the 15th, and attacked the Prussian posts . . . . at daylight in the morning."

Pansa had reached Bononia with four legions, and, marching through the town, had pitched his camp at some little distance to the west, on the side

<sup>1</sup> He was the great-grandfather of Galba, the Roman emperor.

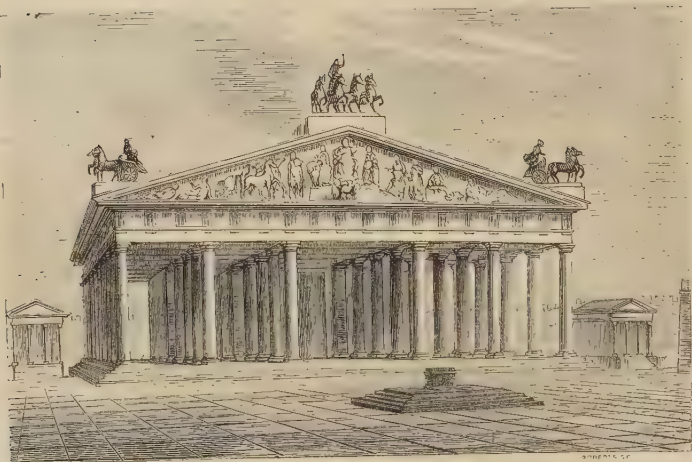
of the Æmilian road. But Hirtius sent Galba to him with a pressing message to bring on his troops and join him immediately. This was on the tenth of April. Next morning Antony pushed on from his quarters to intercept Pansa, and crush him before he could effect a junction with Hirtius and Octavian. He imagined that he would have to deal only with the new levies of Pansa, who were raw and inexperienced troops, and he anticipated an easy victory. But Hirtius had taken the precaution to strengthen Pansa by sending on to Bononia the night before, under the command of Carfulenus, the Martial legion — a body of veterans who were the very flower of his army — and two prætorian cohorts, so that he was prepared to give Antony a reception he little expected. When Antony reached Forum Gallorum, he halted his heavy infantry there; and, to deceive the enemy as to his real strength, sent forward only a body of light-armed troops and cavalry. As soon as the soldiers of the Martial legion and the prætorian cohorts caught sight of the advancing squadrons, nothing could restrain their ardor. Without waiting for the signal of attack, and regardless of the efforts of their officers to restrain their impetuosity, they rushed forward to the battle. Pansa immediately ordered two of his new legions to hasten on to their support; and as they extended in line, they had to force their way through the thick woods and marshy ground that lay on both sides of the Æmilian road. Seeing how serious matters looked, Antony brought out his whole force from the town, and a general engagement began. It was bravely and obstinately contested on both sides, and Cæsar's veterans fought

for the first time in opposite ranks. Eight cohorts of the Martial legion, under Galba, occupied Pansa's right wing, and the fury of their charge was so great that they drove back Antony's Thirty-fifth legion, and followed them in hot pursuit far beyond their own lines. The consequence was that the enemy's cavalry began to surround them, and they would have been cut off from the main body if a retreat had not been sounded; but as it was, they had some difficulty in getting back. The centre of both armies was on the Æmilian road, and here the battle raged for some hours without either side being able to obtain the advantage. But Pansa's left wing, on the south of the road, where he himself commanded in person, was not so fortunate. It consisted of only two cohorts of the Martial legion and one prætorian cohort, and was so hard pressed, especially by the cavalry, which began to outflank it, that it was compelled to fall back. This led to a general retreat of the whole line towards their camp, and Antony followed close upon them, hoping to be able to capture it at a blow. But he attacked it in vain. The resistance was so desperate, and his own loss so great, that he began to retire. But a new enemy now appeared upon the scene. Hirtius, who seems to have acted throughout like a brave and skilful general, when he heard that an engagement was going on, left Octavian to guard his camp, and, putting himself at the head of twenty veteran cohorts, hurried forward to the support of Pansa. He came up with the retiring columns of Antony just as they had reached Forum Gallorum on their way back, and fell upon them with such fury that he completely routed

them with great slaughter. During the engagement Octavian, who was left to guard Hirtius's camp, with only a few cohorts, was himself attacked, but he succeeded in repulsing the enemy. It was now dark, for it was nearly nightfall when the second battle began, and Antony fled, with part of his cavalry, to his camp before Mutina. The victory was complete, but it was dearly purchased by the loss of the gallant Pansa. He received two mortal wounds in the battle, and was carried into Bononia, where he lingered for some time before he died.

Three or four days before news of the victory arrived at Rome, gloomy reports of some great reverse had reached the city. When the rumor spread that Antony was victorious, his partisans assembled in the Curia Hostilia, and began to talk of taking possession of the Capitol and the gates, to throw them open to the conqueror, who they fondly hoped was already on his march to Rome. In order to make Cicero unpopular, they industriously circulated a report that he was going to proclaim himself Dictator, and, according to his own statement, intended themselves to offer him the office, in hopes that he would readily accept it, and so give hired assassins a pretext for dispatching him as aiming at absolute power. So great was the agitation that Apuleius, one of the tribunes and a friend of Cicero, held a public meeting, and, haranguing the people, denounced the whole story as a wicked calumny. The crowd loudly cheered him while he spoke, and shouted out that Cicero had always been the best friend of the Republic. His enemies were soon confounded, for that same day, two or three hours after





TEMPLE OF JUPITER CAPITOLINUS.

RESTORED BY CAV. CANINA

the meeting, a messenger arrived in Rome with tidings of Antony's defeat. In a moment all was changed. The joy of the multitude knew no bounds, and to whom should they turn but to him whose voice had for five long months rung in the Senate and the Forum like the sound of a trumpet-call to battle? They rushed tumultuously to Cicero's house, and, calling upon him to come out, accompanied him, in surging crowds, to the Capitol, to return thanks to the gods for victory. It was a proud moment for Cicero as in the midst of that jubilant throng he slowly walked along the *Via Sacra* up the ascent to the summit of the hill which was crowned by the glorious Temple of Jupiter. He was escorted home again in the same manner, like a triumphal conqueror, and felt, indeed, as he afterwards said, that it was a real and genuine triumph to receive thus the acclamations of his countrymen in gratitude for his services to the State.

The messenger from the army had brought a public despatch from Hirtius and Octavian; and Cornutus, the city prætor, lost no time in assembling the Senate next day in the Temple of Jupiter in order to communicate the contents to them. After he had read the letter aloud, he, as usual, called upon the senators in turn to deliver their opinions. Some of those who preceded Cicero, in the intoxication of the moment, and as if the war was already at an end, proposed that everybody should at once lay aside the military dress, which had been universally worn for the last few weeks, and resume once more the peaceful *toga*, the ordinary garb of peace. Servilius moved that a public thanksgiving should be decreed in grat-

itude for the victory ; and then Cicero rose and delivered the last of the long series of his Philippics — the last, in fact, of all his speeches which has come down to posterity.<sup>1</sup> It possesses, therefore, unusual interest for us.

His habitual prudence did not forsake him, nor did he allow himself to be carried away, like many of the senators, by the transport of the hour. He declared the proposal that the citizens should put off their *saga*, or military uniform, to be at least premature. The great object of the war was to deliver Decimus Brutus, and he was still beleaguered in Mutina. If they put on their togas to-day, they might have to put them off to-morrow, and it would be hardly decent to do this just after they had in their dress of peace returned thanks for victory at the altars of the gods. He warned them not yet to consider their victory complete. It was presumptuous in them thus to forestall the judgment of Heaven, and it was folly to be too confident in the uncertain fortune of war. He earnestly endeavored to persuade the Senate to declare Antony a public enemy (*hostis*), which, strange as it may seem, had not yet been done.

He next proposed that the number of days for a public thanksgiving, mentioned in Servilius's motion, should be increased to fifty, on account of the number of the generals they wished to honor ; and that Hirtius, Pansa, and Octavian should each have the title of *Imperator* conferred upon them. He adroitly managed to bring in his own services and speak at

<sup>1</sup> The grammarian Nonius quotes two passages of another Philippic, which he calls the sixteenth, but, if it ever existed, it is no longer extant.

some length of himself by alluding to the proud delight with which the victorious generals would enter as *Imperators* that temple where they were then sitting, when they recollected that it was on account of their exploits that the people had the day before conducted him in triumph to the Capitol. Alluding to Pansa's wounds, the tidings of whose death had not yet reached Rome, he said, "Carried off from the fight, he has reserved his life for the Republic. In my judgment he is not only an *Imperator*, but a most illustrious one, who, when he had engaged to satisfy his country either by victory or death, made good one alternative of his promise; as to the other, may the immortal gods avert the omen!" He described the gallantry of Hirtius, who himself carried the eagle of the Fourth legion, and scattered the robber-bands of Antony. "Happy," he cried, "most happy was the sun himself that day, who, before he hid his rays, saw the ground strewn with the corpses of parricides, and Antony, with a few followers, a fugitive." As to Octavian, who had guarded the camp, and there fought with and repelled the enemy, his youthful age was no ground for not giving him the title, for his merit had outstripped his years. In memory of those who had fallen in battle, he proposed that a magnificent monument should be erected. He apostrophized the departed warriors thus:—

"O happy death, which, due to nature, has been paid rather as a debt due to your country! But I deem you men who were born for your country: your very name was derived from Mars, so that the same deity seems to have created this city for the world, and you for this city. Death in flight from the battle-field is disgraceful, but glorious in victory, for Mars himself usually selects the bravest from the ranks. Those impious wretches whom ye

slew will pay the penalty of their parricide in the infernal regions; while you who breathed out your latest breath in victory have gained the dwelling-place and home of the blessed. Brief is the span of life given us by nature; but the memory of a life nobly rendered is immortal. And if indeed it were no longer than this life of ours, who would be such an idiot as to face the extremity of toil and danger in order to win the highest glory and renown.

"It is well then, soldiers, with you—the bravest of the brave while you lived, but now sanctified by death. For your merit can never lie unsepulchred, either by the oblivion of those who now exist, or the silence of posterity, when the Senate and Roman people have raised to you, almost with their own hands, an imperishable monument. There have been many great and noble armies in the Punic, Gallic, and Italian wars, but on none has an honor of such a kind been bestowed. And would that we could do even more for you, since we have received from you the greatest blessings. You drove away Antony in his fury from the city. You repelled him when he was attempting to return. There shall therefore be reared on high a memorial building of splendid workmanship, and characters shall be engraved on it—the eternal witness of your divine excellence. And never shall the language of gratitude cease respecting you, either from those who see your monument or those who hear of it."

He then turned to address words of consolation to those who were mourning the loss of relatives. The passage may be compared with a similar one in the funeral oration of Pericles in memory of those who had fallen in the Peloponnesian war, as given by Thucydides. Cicero said:—

"But since, Conscript Fathers, the proper meed of glory is bestowed upon these good and gallant citizens by giving them monumental honors, let us console their nearest relatives, to whom indeed those honors are the best consolation. They are so to parents because they have produced such bulwarks of the State; to children, because they will have in their own families examples of virtue; to wives, because they are deprived of husbands whom it will be better to eulogize than mourn; to brothers, because they

will hope to be like them in virtue as they are in bodily resemblance. And I earnestly wish that I were able by any words or advice of mine to wipe away tears from all their eyes; or that any oration could be spoken which would make them lay aside their sorrow, and rejoice rather that amongst the many and various kinds of death incident to men that which is the most glorious of all has been the lot of their relatives, and that they have not remained unburied nor abandoned on the field of battle, (which yet is thought no piteous fate when suffered for one's country,) nor with their ashes dispersed in separate and lowly tombs, but covered over by a public monument which will exist forever as an altar to virtue. They will find it therefore the greatest alleviation of their sorrow that by the same monument are proclaimed the virtues of their kindred, the faith kept by the Senate, and the memory of a most cruel war, in which, had it not been for the matchless merit of those soldiers, the name of the Roman people would have perished by the parricidal act of Antony."

He concluded by moving, in formal terms, the adoption of what he had proposed.

Such were the closing words of the last speech of the great Roman orator of which any record has been preserved. We may be sure that it was not the last, for it is not likely that he would be silent in the Senate when the news of the next decisive victory arrived; and, besides, we have his own positive statements in subsequent letters that he spoke more than once afterwards. But if it had been the last, and his countrymen had known it, the sound of his voice must have fallen on their ears like a funeral knell. In reviewing the long series of orations which he delivered during the second civil war, it is difficult to express sufficiently the praise that they deserve. They are, in my opinion, quite equal to the Philippics of Demosthenes, and in some respects, perhaps, superior. But, whatever difference there may be on this

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point, all must agree that they are astonishing efforts of eloquence. It is impossible to do justice to them by a translation — at least by any to which I feel myself equal. Nothing can exceed the beauty of the language, the rhythmical flow of the periods, and the harmony of the style. The structure of the Latin language, which enables the speaker or writer to collocate his words, not, as in English, merely according to the order of thought, but in the manner best calculated to produce effect, too often baffles the powers of the translator, who seeks to give the force of the passage without altering the arrangement. Often, again, as is the case with all attempts to present the thoughts of the ancients in a modern dress, a periphrasis must be used to explain the meaning of an idea which was instantly caught by the Greek or Roman ear.<sup>1</sup>

But with all such disadvantages I hope that even the English reader will be able to recognize in these speeches something of the grandeur of the old Roman eloquence. The noble passages in which Cicero strove to force his countrymen, for very shame, to emulate the heroic virtues of their forefathers, and urged them to brave every danger, and welcome death rather than slavery in the last struggle for freedom, are radiant with a glory which not even a translation can destroy. And it is impossible not to admire the genius of the orator, whose words did more than armies for the liberty of Rome. Indeed, it is more

<sup>1</sup> We have, for instance, no single word to express what was meant by *Consulares*, which had so grand a sound in ancient Rome. If we say "men of consular rank," we weaken the force of the appellation. If we say "consulars," we coin a word which is not English; and if "ex-consuls," we run the risk of conveying the impression that we mean only the consuls of the preceding year.

than probable that, if it had not been for him, there would have been no army but that of Octavian in the field against Antony, and Octavian alone, without the support of the consuls and the Senate, would have been no match for his antagonist. It was Cicero who animated the consuls and Senate to resistance, and secured to them the support of the people in the appeal to arms. It was he —

“ whose powerful eloquence awhile  
Restrained the rapid fate of rushing Rome.”

Amidst declared enemies and lukewarm friends, he stood almost alone in his determined hostility to every proposal for a dishonorable peace.<sup>1</sup> With the masses he was, at this period, the most popular man in Rome. We know it from the way in which he was received when he appeared in public. The multitude thronged round him and cheered him as he walked along the streets. And when the image of Minerva, which we may remember he had taken from his house and placed in the temple of the Capitoline Jupiter, just before his exile, was thrown down by a storm and broken, the Senate decreed that it should be restored at the public cost. We have seen how he was escorted to the Capitol when the news of the first victory arrived. For he was looked upon as the representative of the cause for which they fought, and when success came it was to him they paid the homage of their joy.

But the war was not yet over. Anxiety still pre-

<sup>1</sup> And yet Drumann (*Gesch. Roms*, VI. 496) reproaches him with cowardice for staying in Rome and not joining the army employed against Antony. It would be equally fair and reasonable to reproach Pitt or Canning for not leaving England to fight against Napoleon.

vailed at Rome, and the thoughts of all were still turned to the beleaguered walls of Mutina. Decimus Brutus was there hemmed in by a powerful army. Might he not be forced by famine to surrender? Might not Antony, protected from attack by his fortified camp, be able to take the town by assault, and then, bursting into Cisalpine Gaul, make himself master of the whole province? But the suspense did not continue long. A few hours later in the day when Cicero had last addressed the Senate, the tidings came of another and a final victory. The camp of Antony had been stormed, and he himself, with the shattered remnant of his troops, was in full flight towards the Alps. Such no doubt was the report that spread through the streets of Rome. But it was in some degree exaggerated, and the real facts were these. After his defeat by Hirtius on the fifteenth of April, Antony kept himself within his intrenchments, and did not venture to try the chances of another battle until he received an unexpected reinforcement. I have mentioned that Lepidus, at the head of his legions in Southern Gaul and Northern Spain, had shown that his sympathies were with his daughter's father-in-law, although he had made no decisive demonstration. He was a thoroughly unprincipled man, and was prepared to join the winning side, which ever that might be. So doubtful was he at this time as to the issue of the contest, that he actually dispatched a body of troops, under the command of Marcus Silanus, one of his officers, with orders to march to Mutina, and there wait the course of events. According to Dio Cassius, he gave him no directions into which of the two hostile camps he

was to carry his eagles; and the motive for this was most probably the cowardly one that he might not himself be personally compromised, but be able to disavow the act of his officer, in case ultimately he found it convenient to do so. Silanus, therefore, marched through Italy, very much in the position of Stanley at Bosworth field, ready to act as circumstances might dictate. But when he approached Mutina, it was necessary to come to a decision. Antony was still strong, and at any moment Brutus might be compelled by famine to surrender, even if the town were not taken by storm. Silanus knew that in his heart Lepidus wished Antony to succeed, and, acting on his own judgment, he led his troops into the camp of the besiegers. Antony thus found himself strong enough to resume the offensive. He therefore advanced from his camp in force, and attacked the relieving army under Hirtius and Octavian, but was repulsed and driven back after an obstinate engagement, during which Brutus made a *sortie* from the town to assist his friends. The victorious troops penetrated quite into the camp, and Hirtius fell close to the general's tent. But Antony made a desperate rally, and Octavian was at last compelled to retire, carrying off with him the dead body of the consul. Night fell on the weary combatants, and neither side could claim a victory. Antony called a council of war, and his friends advised him to prosecute the siege with renewed vigor, and decline a battle. But he feared lest Octavian might force his way into Mutina, or in turn become the besieger of his camp by surrounding it, and then his own cavalry, the arm in which he was strongest,

would be useless. He therefore determined to evacuate his camp (or, according to another account, his camp was stormed), and immediately commenced his march in the direction of the Maritime Alps, leaving Mutina as the prize of Octavian. Brutus was not in a condition to pursue immediately the retreating foe. At the moment he did not know that Hirtius was killed, and he also mistrusted Octavian. His own troops were few in number and miserably equipped, and he had no cavalry nor baggage animals. On the next day Pansa expired in Bononia. It shows what was thought of the character of Octavian, that at the moment of victory he was suspected of two frightful murders. A rumor spread that he had bribed Glycon, the surgeon of Pansa, to poison his wounds, and had hired an assassin to give Hirtius his death-blow in the struggle at the camp. Niebuhr believes him to have been quite capable of these almost incredible crimes. His words are: "Octavian's reputation was, even as early as that time, such as to occasion a report, *which was surely not quite false*, that he had caused the surgeon to poison the wounds of Pansa, and that he had hired an assassin to murder Hirtius. If we apply the *cui bono* of L. Cassius,<sup>1</sup>

<sup>1</sup> *Cui bono*? These two words have perhaps been oftener misapplied than any in the Latin language. They are constantly translated or used in the sense of "What good is it?" "To what end does it serve?" Their real meaning is, "Who gains by it?" "To whom is it an advantage?" And the origin of the expression was this:—When L. Cassius, who is said to have been a man of stern severity, sat as *quesitor judicii* in a trial for murder, he used to advise the *judices* to inquire, when there was a doubt as to the guilty party, who had a motive for the crime, who would gain by the death; in other words, *cui bono fuerit*? This maxim passed into a proverb, as also the expression *Cassiani judices*. (*In Verr.* III. 137, 146; *pro Rosc. Amer.* 85.) The great scholar Gronovius protested against the mistranslation as a vulgar error two centuries ago.

a strong suspicion indeed hangs upon Octavian ; and if, in addition to this, we consider that he was not a man whose moral character was too good to commit such acts, *we cannot help thinking that the suspicion was not without foundation.*"<sup>1</sup>

The Senate in the mean time was not without an uneasy fear, that whoever proved the victor in the struggle might become too strong for the liberties of Rome, and they passed resolutions, in order to cripple his power beforehand. They enacted that no one should hold office for more than a year ; and, remembering the case of Pompey, that the important duty of provisioning the city should not be again committed to any single person. A public thanksgiving of fifty days was decreed, and it was resolved that the citizens should immediately resume their togas, in token that the war was at an end.

Rome was just then in a completely widowed state. She had lost both her consuls on the battle-field, and they were men whom, at such a crisis, she could ill afford to spare. There was no one to whom she could look up with confidence as a leader. Antony was the open enemy of the Senate, and they could only half trust Octavian. Marcus Brutus and Cassius were still engaged in a death-struggle for existence in distant provinces, and if either had been recalled and placed at the head of the Republic, it would have made an open breach with Octavian, who would not have tolerated that those whom he considered the chief agents in the murder of his *father*, as Cæsar was always called, should get possession of power. If Cicero had been a man of more nerve and less

<sup>1</sup> Hist. of Rome, V. 107.

scruples, if he had inspired as much confidence as a statesman as he exerted influence as an orator, we can hardly doubt that at this emergency all eyes would have turned to him. He was the foremost man at Rome, and there never was such an opportunity for ambition to seize. If he had had the slightest reputation as a general, he would have been the one on whom the conduct of the war against Antony, if war was still to be, would naturally have devolved. But he was not equal to an emergency like this. The reins of power at such a moment would have been seized by a Cæsar, or a Cromwell, or a Napoleon; but the bare idea of an illegality was abhorrent to his mind. If he was to command, it must be by the authority of the Senate and the will of the people, and neither the one nor the other appear to have thought of him as its leader. Unfortunately we know little of what was then actually passing at Rome. We can only imagine the dismay of the vast metropolis, when it was known that the consuls were dead, and it was still uncertain what course Octavian would take. What would Lepidus, and Pollio, and Plancus do? Would they receive Antony with open arms, or drive him back a fugitive to Italy? From Plancus Cicero had received a letter only two days before the news of the last victory had arrived, and its contents were very satisfactory. He made the strongest professions of patriotism, and, better than this, he showed that his acts corresponded with his promises. He was on his way to Italy to support the consuls against Antony. He told Cicero that he had by forced marches reached the Rhonè, and crossed that river on the twenty-sixth

of April, having sent forward a squadron of cavalry a thousand strong, from Vienna (*Vienne*), by a shorter route. Cicero was in raptures when he got this letter. He answered it on the fifth of May, and expressed his joy at the intelligence. Decimus Brutus also wrote to him on the twenty-eighth of April. He bewailed Pansa's death as a public calamity, and told Cicero that he must use all his authority and prudence to prevent the hopes of their enemies from reviving, now that both the consuls were gone. He intended to follow Antony in close pursuit, and allow him no halting-place in Italy. He declared he had no faith whatever in Lepidus; but he was in hopes that Plancus would not fail them, now that Antony was beaten. Cicero must endeavor to keep him steady. He himself intended to occupy the passes of the Alps if Antony crossed them, so that he would be cut off from Italy if he attempted to return.

The man who wrote this was thoroughly in earnest, and there can be no doubt of his loyalty to the Republic. He had defended the authority of the Senate at the risk of his life, and had shown courage and military skill. He was one of the consuls-elect for the following year. No one else seemed to combine so many claims to the chief command in the conduct of the war. The Senate, therefore, conferred it upon him, and the whole force of the Commonwealth in Italy was placed at the disposal of Decimus Brutus, who had been not the least active among the assassins of Cæsar. This fact was perhaps not sufficiently taken into account when the appointment was made, and the Senate hardly appreciated the power which even the shadow of that lofty name

still exercised over the minds of their countrymen, and especially over the veterans who formed the strength of the legions.

Let us revert to Mutina and the day after the battle. The dying Pansa wished to see Brutus, and he hastened to Bononia, the day after the siege was raised, to gratify his wish. But on the way there he was met with the intelligence that the consul had expired, and he immediately retraced his steps towards the city which he had so long and gallantly defended. He had an interview with Octavian, and strongly urged him to cross the Apennines, and cut off Antony's retreat. But Octavian would not stir. He was brooding over schemes which the brave and honest Brutus little suspected. In a letter to Cicero, mentioning the circumstances, he merely says, "If Cæsar had listened to me and crossed the Apennines, I would have driven Antony to such straits that he would have been destroyed by famine more than by the sword. But neither will Cæsar obey me, nor will his army obey Cæsar,—two things which are most unfortunate." In the mean time two precious days were lost. Antony pressed forward his march in the direction of the modern Genoa, and, as he passed through the towns on his route, threw open the prisons, and collected from them and the neighborhood all he could press into his service, so that his force swelled to a considerable number. At a place called Vada (*Vado*), on the Gulf of Genoa, a little seaport, through which the Corniche road passes, he received a welcome reinforcement from Ventidius, who had made a forced march across the mountains by a most difficult route, and he placed his veteran

troops under the command of Antony. But Brutus was then only thirty miles off, having marched rapidly by way of Regium (*Reggio*) and Dertona (*Tortona*), and, getting intelligence of Antony's movements, he pushed forward instantly five cohorts to Pollentia, which reached the place just an hour before Trebellius, one of Antony's captains, arrived there with his cavalry. This seems to have disconcerted the enemy's plans, who struck into the mountains, to force their way into that part of Gaul where they expected to find Lepidus. They came up with Lepidus's encampment, on the western side of the Alps, on the twenty-ninth of May.<sup>1</sup> Plutarch gives a dismal account of the sufferings they had to endure on their journey. He says that Antony, "who had quitted so much luxury and sumptuous living, made no difficulty now in drinking foul water, and feeding on wild fruits and roots. Nay, it is related that they ate the very bark of trees, and in passing over the Alps lived upon creatures that no one before had ever been willing to touch." Since his flight from Mutina, Antony had never trimmed his beard. His hair hung in disordered masses on his neck, and his looks were wild and haggard. He had good reason for intense anxiety, for his fate depended upon the reception he might meet with from Lepidus. If he

<sup>1</sup> Excluding the coast route, there were only two practicable passes leading across the Alps from Italy into Gaul in ancient times. The one was the pass of the Cottian Alps (*Mont Genève*), which descends into the valley of the Rhone near Grenoble. A military road was first constructed there by Pompey to furnish a shorter communication between the provinces of Cisalpine and Transalpine Gaul. The other was the pass of the Graian Alps (*the Little St. Bernard*), by which Hannibal marched on Rome. The pass of the Mont Cenis did not become a military road before the middle ages. — See Mommsen, *Gesch. Rom.*, Bk. III. c. 4.

declared against him, he was lost forever. Halting his weary and famished troops, and flinging a dark-colored cloak over his shoulders, he passed within the trenches of Lepidus's camp, and began to address the soldiers. His appeal began to produce an effect, when Lepidus ordered the trumpets to sound, so as to drown his voice. The rest may be told in Plutarch's words. "This raised in the soldiers a greater pity, so that they resolved to confer secretly with him, and dressed Lælius and Claudius in women's clothes, and sent them to see him. They advised him without delay to attack Lepidus's trenches, assuring him that a strong party would receive him, and, if he wished it, would kill Lepidus. Antony, however, had no wish for this, but next morning marched his army to pass over the river that parted the two camps. He was himself the first man that stepped in, and as he went through towards the other bank, he saw Lepidus's soldiers in great numbers reaching out their hands to help him, and beating down the works to make him way. Being entered into the camp, and finding himself absolute master, he nevertheless treated Lepidus with the greatest civility, and gave him the title of 'Father' when he spoke to him, and though he had everything at his own command, he left him the honor of being called the general." According to this statement Lepidus was almost a passive instrument in the hands of his soldiers, and was coerced by them into defection. But we cannot accept it as entirely true. From the correspondence of Plancus with Cicero, we know that Lepidus needed little or no compulsion to act the part of a traitor.

Thus Lepidus was gained, and, if we had only Plutarch as our guide, we should believe that Plancus followed his example without difficulty or delay. He disposes of that general's conduct in a single line, saying, "This fair usage brought soon to Antony Munatius Plancus, who was not far off with a considerable force." But this is a very inaccurate account of what really happened, and shows the necessity of caution in accepting Plutarch's authority. Plancus was a man of a different stamp from Lepidus, and his behavior was very different. When he heard of Antony's flight from Mutina, he wrote to Cicero, and expressed in the strongest terms his hostility to the fugitives. He said that he was in communication with Lepidus, and doing everything in his power to keep him loyal. He called Antony an outcast and a brigand, and said that Lepidus had promised to attack him if he came into his province, and had begged himself to join him. He could thoroughly depend on his own soldiers, and was more afraid of Lepidus's men than Antony's, saying, "If I could only come up first with Antony, he would not stand an hour, so much confidence do I feel in myself, and so utterly do I despise his beaten troops." He added significantly, "But I cannot but fear that there is some internal ulcer which may do mischief before it can be found out and cured." There was, indeed, a very desperate "ulcer," not only in Lepidus's army, but in Lepidus's mind, as Plancus soon ascertained to his cost. When he wrote thus, he was eight days' march from Lepidus. He hastened on to join him, but on the way was met by a courier who brought a letter from him, telling him not to come, as he could

do without him, and directing him to wait for him on the banks of the Isara. Plancus at first did not suspect the truth, but thought that Lepidus was perhaps jealous that he should share with him the glory of defeating Antony, and he determined to press forward. But he got another letter from Laterculus, a brave and honorable officer of Lepidus, who, when he found that his general was bent on treason, stabbed himself to death, in the presence of the whole army. This letter revealed the extent of the mischief. While Lepidus was haranguing his troops, as has been before mentioned, the mutiny broke out, and he had taken no steps to punish the ringleaders, or to put a stop to it. Plancus thought it would be madness to go on and expose his army to the risk of defeat from the superior forces that would be opposed to him. He therefore halted. When he was forty miles distant from Lepidus's camp, on ground where he was protected by a river in his front, he wrote to Cicero, urgently begging that reinforcements might be sent to him as quickly as possible, in which case he hoped still to be able to secure victory and "destroy the villains." There is no reason to doubt that Plancus was, up to this time, thoroughly loyal; and if Lepidus had been as true to his professions as himself, Antony would have been destroyed, and the destiny of the world changed.

The united forces of the two allies now marched against him, and had got within twenty miles of his camp before he heard of their approach. He retreated rapidly and in good order, recrossing the Isara in June, and breaking down the bridge behind him, after he had passed it.

But we must revert to a more important personage than either Lepidus or Plancus, and see what part Octavian was playing in the great drama at this eventful crisis.

His position was, in some respects, like that of General Monk, after the death of Cromwell, when he stood between the Commonwealth and the Crown. On Octavian's decision depended the question whether there should be at Rome a Republic or an Imperial throne. It is perhaps not difficult to understand, however unable we may be to justify, the motives that influenced him at this crisis. He was Caesar's adopted son — the heir of his name and fortune, and he could not bring himself to act cordially with men, some of whom were the actual murderers of his father. It would be nearer the truth to say that he hated them. His pride was hurt at the conduct of the Senate in appointing Decimus Brutus, one of those murderers, instead of himself, to the supreme command of the army of Italy. His ambition was inflamed with the idea that he might occupy the vacant seat of power, if he could destroy the vital vigor of the constitution, however he might preserve its form. The question was how he might best attain this end. If, while still acting as the officer, and under the authority, of the Senate, he crushed Antony, he would, by the very victory, be imparting strength to republican institutions, and would find it more difficult afterwards to overthrow them. If he joined Antony now, he might share the chief power, even if he could not enjoy it alone.

It was better for him to divide the prize than to lose it altogether. If we may believe Dio, the stupid

folly of the Senate soon furnished him with the pretext of a grievance. It might be good policy not to make him commander-in-chief, but it was madness to alienate his troops from their duty, by breaking faith with them. The promises of pay and rewards, which had been so liberally made, were only partially kept, and invidious distinctions were made in the recipients of the bounty, for the purpose of exciting jealousy and divisions in the ranks. Cicero himself does not allude to any such miserable policy on the part of the Senate, but, in a letter to Cornificius, gives a much more probable reason why their promises had not been kept; namely, the exhausted state of the public treasury. He says that they were scraping money together from all quarters, "in order that what was promised to the soldiers who had behaved so well might be paid," and he did not see how this could be done without a forced contribution or tax (*sine tributo*). But, whatever the cause was, there was discontent, and Octavian took advantage of it, to make the Senate unpopular with the army; and, according to Dio, entered himself into secret communications with Antony. He also gained over, by conciliatory measures, the scattered bodies of Antony's troops, which had fled from the camp during the action. It was a great object with him to be elected consul, to fill one of the two vacancies created by the deaths of Hirtius and Pansa; and this, notwithstanding that he had hardly attained half the age required by law for that office. We are told by Dio, Appian, and Plutarch, that he tried to tempt Cicero to support him, by proposing that he should be his colleague, and, according to

them, the veteran statesman entered readily into the plan. If so, it reflected no discredit on either his sagacity or his patriotism. For it certainly was the most prudent course to conciliate Octavian ; and, if he was to be elevated to the highest executive office in the State, it was wise and politic to diminish, as much as possible, the chance of his abusing his power. And this could hardly be done more effectually than by associating with him a man like Cicero, the determined enemy of anything like domination, and whose very name was now the watchword of the Constitution. But I so entirely mistrust the authority of these writers for any important fact not corroborated by contemporary testimony, that I consider that we are at liberty to reject the whole story.

Octavian's efforts to persuade the Senate to consent to his election proved for some time abortive, and he took a more efficacious method of overcoming the opposition. He first got his soldiers to swear that they would not fight against troops that had served with Cæsar, and then sent a deputation of four hundred of his centurions to Rome, as petitioners on behalf of the army, to claim the donation that had been promised to the troops, and to ask that the consulship might be conferred on him.

The Senate had some time before sent to Africa for fresh legions, and when they saw the turn things were taking, and that they had only the scanty army of Decimus Brutus on which they could confidently rely for the defence of the Republic against the rising tide of treason that seemed likely to engulf it, they dispatched couriers to Marcus Brutus and Cassius, urging them to hasten over to Italy with the

forces under their command. The troops came from Africa, and their arrival emboldened the Senate to continue their resistance to Octavian's demands. But their resolution was soon shaken when they saw his centurions in Rome, and heard them knocking at the door of the Senate-house. This is no mere figure of speech : it falls, indeed, short of the reality. These rough soldiers came into the chamber where the senators were sitting, although they had the grace to leave their arms outside. They demanded the consulship for Octavian, and when the Senate still hesitated, one of them, named Cornelius, went out, and, seizing his sword, exclaimed, "If you will not give it to him, this will!" and we are told that Cicero replied, "If you canvass in this fashion, he will certainly get it."<sup>1</sup> This was surely a very inoffensive remark, and yet Dio says that it ultimately cost him his life. One would think that he had never read nor heard of the Philippics. We know, on better authority, that before this a bitter joke of his, which was much more likely to give mortal offence, had reached the ears of Octavian. Unfortunately it is impossible to translate it, for it is, in fact, a pun. In a letter to him, dated Eporedia (now Jurea in Piedmont), on the twenty-fifth of May, Decimus Brutus mentioned that Segulius had told him that he and Octavian had been talking together a good deal about Cicero, and that Octavian had complained of his saying, *laudandum adolescentem, ornandum, tollendum*, observing that he would take care not to

<sup>1</sup> "Αν οὕτως παρακαλῇτε, λήψεται αὐτήν. — Dio Cass. XLVI. 43. Abeken translates it, *Wenn dies bitten heisst, dann soll er es haben*, — "When this is called canvassing, then he shall get it," which has certainly more point and sting. But I do not think the words bear that meaning.

get the kind of "advancement" that Cicero intended for him.<sup>1</sup> Brutus added that he believed that Labeo himself had first told Octavian the story. This made Cicero very angry, and in his reply he used strong expressions. "May the gods," he said, "confound that Segulius for the greatest rascal that is, or was, or ever will be!" Middleton takes some pains to make us believe that he never uttered the words, and that they were an invention of his enemies "to instil a jealousy into Octavius, or to give him a handle at least for breaking with Cicero," for he thinks it "incredible that a man of his prudence could ever say them." But if so, it is remarkable that in his answer to Brutus he does not deny them nor charge Segulius with calumny. He is angry with him, not for inventing but for repeating the story.

When the army heard that the Senate still refused to let Octavian stand for the consulship, it demanded to be led to Rome; and he immediately put his troops in motion to march on the capital. They were in formidable strength — eight legions, besides cavalry and auxiliaries; and, except the soldiers that had come from Africa, who were comparatively few in number, there was nothing to oppose them.

In the mean time what was happening beyond the Alps? Decimus Brutus, whose army had been increased from seven to ten legions, but consisting

<sup>1</sup> "Se non commissurum ut tolli possit." — *Ad Div.* XI. 20. See Vell. Pat. II. 62; Suet. *in Aug.* 12. The sting of the words lies of course in the double meaning of *tollere*, which is either "to raise up, elevate," or "to take away, destroy." If hanging had been the mode of public execution at Rome, the passage might have been translated thus:—"Octavian complained of your saying, 'I think that the young man should be praised, honored, and elevated;' and remarked that he would take care not to have such an *elevation* as you kindly wished for him."

chiefly of young and raw recruits, had crossed the mountains and joined Plancus. Asinius Pollio, notwithstanding all his professions of devotion to the Senate, went over to the enemy,<sup>1</sup> and Antony was now at the head of seventeen legions. Plancus saw that victory would be on the side of the *gros bataillons*, and, careless of honor, like the rest, he led his troops to Antony's camp, and made common cause with the three generals. The position of Decimus had become critical in the extreme. He stood alone —

Amongst the faithless faithful only he :

but with inexperienced troops, badly equipped, to oppose the veteran legions of Cæsar, who greatly outnumbered him. He would have died a more glorious death if he had struck the last blow for his country's liberty, and fallen on the battle-field. But we have no right to blame the course he took. It was impossible for him to face such tremendous odds with any chance of success, and his only hope of safety was in a rapid retreat. But if he recrossed the Alps and descended into Italy, he feared that he would be intercepted by the superior forces of Octavian, whose understanding with Antony he could no

<sup>1</sup> There is a long and interesting letter from Pollio to Cicero (*Ad Div. X.* 33), written at the end of May, in which he talks of the necessity of all rushing to extinguish the conflagration and save the empire from destruction. He complains that, owing to the length and difficulties of the journey, news was forty days old before it reached him. In another letter, a few days later, he makes similar professions of fidelity. But it relates chiefly to the conduct of the quæstor Balbus, who had gone off to Africa after embezzling money and being guilty of many acts of enormity. Amongst others he had ordered a wretched gladiator to be half-buried in the ground and then burnt alive as far as the flames could get at his body. Balbus enjoyed this as an after-dinner amusement, and walked about with his hands behind him mocking the cries and sufferings of the unhappy man.

longer doubt. His object was, if possible, to effect a junction with Marcus Brutus in Macedonia by a circuitous route, and he led his troops towards the Rhine, intending to cross the river and force his way through the passes of the Rhætian Alps. His line of march lay, in fact, through the modern Switzerland. Although it is anticipating the order of time, it may be as well to relate here the catastrophe that overtook him. He found that he could no longer trust his soldiers. Some of them began to desert his standard; and at last he left his army, attended by a body of Gallic cavalry, to make his way, as he best could, across the Rhine. But these troops seem to have wavered. At all events he dismissed them, having first distributed amongst them all the gold he possessed. Three hundred horsemen still clung to their leader, and with these he continued his weary march, until all but ten deserted him. He then changed his dress, and, disguising himself as a Gaul, reached Aquileia, a town at the head of the Adriatic. Here he was discovered and seized by a native chieftain, whose name, Camillus, shows that he had some connection with Rome. Brutus had in former times been his benefactor, and he requited the service, whatever it may have been, by hastening to Antony, and telling him of the prize within his grasp. It is hardly necessary to say that Antony insisted on his death. He told Camillus to murder his captive; and his head was struck off, the first ghastly trophy of the new alliance.

As Octavian approached the walls of Rome, the affrighted Senate sought to retrace their steps and propitiate their future master. They sent an em-

bassy to him, offering to make him consul. For a moment their hopes revived, when they heard of the landing of two more legions from Africa. But these actually deserted on their march, and hastened to join the advancing army. Soon afterwards it halted outside the gates, and Octavian entered the city as a conqueror. The form of an election was rapidly gone through, and in the twenty-first year of his age he was declared a Roman consul, with Q. Pedius as his colleague. This happened on the twenty-second of September.

## CHAPTER XXV.

## THE PROSCRIPTION AND DEATH OF CICERO.—HIS CHARACTER.

ÆT. 64. B. C. 43.

THERE is good reason to believe that Cicero did not stay in Rome to be an eye-witness of a spectacle which was the downfall of all his hopes, and sealed the fate of the Republic.<sup>1</sup>

Accompanied by his brother Quintus, — for the greatness of a common misfortune had completely reconciled them, and restored all their old affection for each other, — he retired to his villa at Tusculum, to wait there the course of events. There is no doubt that he might have easily escaped to Macedonia, if he could have summoned resolution to abandon forever Italy and Rome. But with his usual indecision he hesitated until it was too late, and the bloody ministers of Antony's vengeance overtook him. Bitter, indeed, must have been his thoughts as he stood on the lovely hill of Tusculum, and gazed across the Campagna upon the city which would soon be occupied by his deadliest foes. Was this then the result of all his untiring efforts and splendid elo-

<sup>1</sup> The materials for composing a narrative of the last four or five months of Cicero's life are unfortunately scanty, and the authorities do not agree. They are Plutarch, *Cic.* 47, 48; Appian, IV. 4; Dio Cassius, XLVII. 10, 11; Livy, *Fragm.*; Seneca *Suasor*, 7; Valerius Maximus, V. 5.

quence during the last six months? <sup>1</sup> Was it for this that he had lavished praises on Octavian in the Senate, and pledged his word that he might be trusted as a faithful servant of the State? He had declared that no honors that could be conferred upon him were more than he deserved, and now he had trampled on both Law and Constitution, and made his sword the arbiter of the destinies of Rome. He must have keenly felt the desertion of Pollio and Plancus. Their conduct showed that he could put faith in no one. He and Quintus must go forth as fugitives and exiles, leaving their native land a prey to tyrants, who, whether they quarrelled or agreed, would alike work the ruin of the Republic. It was, in fact, already ruined, for the trembling Senate was the slave of the strongest, and existed only to register his will. But, in the midst of all his cruel disappointment, there was one consolation for Cicero. He might have been mistaken in his estimate of men, and failed to read aright the signs of the times, but his conscience was without reproach. He had done all that mortal could do to preserve the liberties of Rome. In the midst of a faint-hearted Senate and fickle populace, he had held aloft, with his single arm, the standard of freedom, sent out armies to combat the enemies of his country, and, by his example, cheered, encouraged, and animated all. It was no fault of his that treason had eaten into the heart's-core of the Commonwealth, and that men were now willing to be slaves.

<sup>1</sup> Speaking at an earlier period of the disappointment felt at the escape of Antony after the battle of Mutina he had said, "Mæque illæ vehementes contentiones tamquam σκιαμαχίαι esse videntur." — *Ad Dir.* XI. 14. "Shadow fights" indeed they were for all the good they did ultimately to the Republic.

One of Octavian's first acts was to have his own adoption, as Cæsar's son, confirmed by a law, passed by the people in their *Curia*, in a proper form. Then only was he entitled legally to assume the proud names of Caius Julius Cæsar Octavianus, although for upwards of a year he had been called Cæsar by his friends. His other measures were of a more ominous kind, and foreboded the change of policy which he was soon openly to avow. The resolution of the Senate, which had declared Dolabella a public enemy, was repealed, and a law was passed on the proposal of his colleague, Pedius (hence known as the *Lex Pedia*), by which the murderers of Cæsar were summoned to take their trials, and in default of appearance were condemned to death *par contumace*. This was tantamount to proclaiming open war against the only three generals who were still in arms for the Republic, Decimus and Marcus Brutus, and Cassius—all of whom had imbrued their hands in Cæsar's blood.

Octavian left Rome at the head of his legions, pretending that his object was to march against Antony and Lepidus, and carry on the war. A parallel might perhaps be drawn between him and Ney, who, when Napoleon landed from Elba, left Paris to intercept him and bring him back, as he declared, like a wild beast in a cage. But there was this important difference between them. Ney was no doubt sincere when he set out, and intended to do his duty, but was unable to resist the fascination of the sight of his old commander and companions in arms, and thus became a traitor almost in spite of himself. But Octavian marched from Rome with

settled treachery in his heart, and the only question with him was, how he could accomplish his object with the best advantage to himself. If there could have been a lingering doubt in Rome as to his intention, it must have been dissipated when his colleague, Pedius, who remained behind, proposed and carried a law, taking off from Antony and Lepidus the ban by which they had both been declared public enemies.

These two generals, after the death of Decimus Brutus and dispersion of his army, part of which, however, had gone over to their side, recrossed the Alps, and, descending into the great plain of Lombardy, marched in the direction of Bononia, keeping the Apennines on their right. In the mean time overtures were made by Octavian to Antony, and Lepidus exerted himself to reconcile the two competitors for power. We do not know the details of the negotiation, but the result was that a meeting was agreed upon, and Octavian led his troops to Bononia, which was already occupied by the legions of Antony. The three leaders met on the twenty-seventh of November, on a little island of the Rhenus, now the Reno, a river, or rather mountain-torrent, which rises in the Apennines, and flows close to Bologna. Here the second Triumvirate was formed, and the world was divided as the spoil.

This might be all fair, according to the laws of war. The conquerors had a right to apportion what their swords had won. But this did not satisfy their minds. Each was to surrender victims, to satiate the vengeance of the other two, and one of the basest compacts was made that was ever entered into by

men. The terms were that Octavian should give up to death Cicero ; Lepidus, his own brother Paulus ; and Antony, his uncle Lucius Cæsar. Thus, says Plutarch, they let their anger and fury take from them the sense of humanity, and demonstrated that no beast is more savage than man, when possessed with power answerable to his rage.

Cicero and his brother were still at Tusculum when they heard of the proscription. Not a moment was to be lost, and they must fly for their lives. They hesitated whether they should hasten to join Sextus Pompeius in Sicily, or Cassius in Syria, or Brutus in Macedonia. They decided on going to Brutus, and proceeded in litters to Astura, on the coast, intending there to embark for Macedonia. We are told that on the journey they often halted to embrace each other, and mingle their tears together. This to modern notions might argue an unmanly weakness, but we must not judge them so. The ancients — and Cicero and his brother were not only ancients but Italians — put far less restraint upon their feelings than ourselves, and with them passionate grief found vent in weeping without any reproach to their courage or fortitude. I do not believe that Cicero was afraid to die, but calamity had overwhelmed him, and he wept, as he had often done before in moments of sorrow and despair. An unforeseen circumstance compelled the brothers to separate. In the haste of their departure they had forgotten to bring with them the means of support on their journey. It was determined that Quintus should return to Rome, and procure the necessary supplies. No doubt his intention was to come back and overtake

his brother, but it was ordered otherwise. After an affectionate embrace they parted, never to meet again. Cicero continued his route, and Quintus turned towards the city. It seems that his son had been left behind, and was still there when his father arrived. Quintus concealed himself in the same house with him, but by some means or other the bloodhounds of Antony got scent of his lurking-place. They came, but could not find him; and, seizing young Quintus, they tortured him, to make him betray his father. He nobly refused, but, as we may infer from one of the accounts, the extremity of pain forced from him cries which his father heard. Unable to endure the thought of his son's agony, he came forth from his hiding-place, and delivered himself up to the assassins. A heart-rending scene followed. Each prayed that he might die before the other, and, to end the contest, the murderers killed them both at the same moment.

Cicero reached Astura in safety, and going on board a vessel, got as far as the promontory of Circeii (*Capo Circello*). There was nothing now to prevent his escape, and the head of the ship was turned to the open sea, to bear him away from his pursuers, when a strange fit of irresolution seized him, and he insisted on being put on shore again. A sort of fascination, which he was unable to resist, seems to have attracted him to the fatal coast. In the words of Ezekiel, "He heard the sound of the trumpet and took not warning: his blood shall be upon him." He landed, and by an unconscious impulse, took, on foot, the road to Rome, as if he were courting his own destruction. But he soon retraced his steps,

and spent the night at Circeii. He could not sleep, and as he tossed restlessly on his couch, the idea seized him that he would go to Rome, and, entering the house of Octavian, seat himself beside the domestic altar, and there plunge a dagger into his breast, to draw down the vengeance of Heaven upon his betrayer. But with the morning came wiser counsels. His attendant slaves — whose devotion we can readily understand, for there never was a kinder master — besought him once more to embark, and he yielded to their prayers. The vessel again set sail, but the wind was contrary, and the sea was rough. He was sick and ill, and when he reached the harbor of Cajeta (*Gaëta*), near which his own Formian villa lay, he would go no farther, having made up his mind to die.<sup>1</sup> He was implored to continue the voyage, but in vain. "Let me die," he exclaimed, "in my country, which I have saved so often!" The day was the seventh of December, when, for the last time, he set foot on Italian ground. He reached his villa, and lay down tranquilly to rest. But his slaves got intelligence that his pursuers were close upon his track.<sup>2</sup> With affectionate zeal they forced him to get into a litter, and bore him along a by-path through the thick, but then leafless, woods towards the shore. The band of murderers had already reached the villa. They were headed by a

<sup>1</sup> Appian attributes his landing to seasickness — οὐκ ἔφερε τὴν ἀηδίαν τοῦ κλύδωνος. — *De Bell. Civ.* IV.

<sup>2</sup> According to Appian, crows awoke him from his sleep by pulling away the clothes that covered his face. One tradition represents him as quietly reading the *Medea* of Euripides when the murderers arrived — not very likely at such a moment of agonizing terror. According to another, he destroyed himself by poison. — Euseb. *Chron.* p. 183, quoted by Drumann.

centurion, named Herennius, and the military tribune Popilius Lænas. Cicero had once successfully defended Lænas in a criminal trial against the charge of parricide, and obtained his acquittal. But gratitude was of small account in comparison of the reward that he would gain by the death of his benefactor. Some miscreant pointed out the path the fugitive had taken, and the assassins hurried through the wood, some of them by a shorter road, so as to meet him as he came out. When he heard their footsteps approaching, he knew that his hour was come. He ordered his attendants to set down the litter, and forbade them to defend him. He drew back the curtain, and stretching forward his head, called out, addressing either Herennius or Popilius, "Here, veteran! if you think it right — strike!" According to Plutarch, "stroking his chin, as he used to do, with his left hand, he looked steadfastly upon his murderers, his person covered with dust, his beard and hair untrimmed, and his face worn with his troubles." Several of the assassins were moved to pity at the sight of his gray hairs and ashy countenance, and they covered their faces with their hands. But Herennius stepped forward, and, with repeated blows of his sword, severed his head from his neck, and it rolled in the dust.<sup>1</sup>

<sup>1</sup> It is curious and instructive to notice the discrepancies in the different narratives that have come down to us of the last moments of Cicero. Plutarch says that the person who betrayed the path he had taken was a freedman of his brother Quintus, named Philologus; Appian, that he was a shoemaker and client of Clodius. Plutarch says that he stretched his neck out of the litter, and Herennius cut off his head, "and by Antony's command his hands also, by which his Philippics were written." Appian, Dion Cassius, Valerius Maximus, and Seneca all say that it was Popilius Lænas who struck the blow. Appian's account is that Lænas pulled his



FORMIÆ. WHERE CICERO WAS MURDERED



Thus fell Cicero — the noblest victim of the bloody proscription of the Triumvirate. He was exactly sixty-three years, eleven months, and five days old, when he died.

The hands were cut off, and the murderers carried them with the head to Antony. He was seated on a tribunal, administering justice in the Forum, when they made their way through the crowd with the ghastly relics in their hands. His eyes sparkled with joy, and he not only paid the promised reward, but added to it an enormous sum. What more precious gift could he present to his wife Fulvia than the head of their deadliest enemy? She took it, and placing it on her lap, addressed it as if it were alive, in words of bitter insult. She dragged out the tongue, whose sarcasms she had so often felt, and with feminine rage pierced it with her bodkin. It was then taken and nailed to the Rostra, together with the hands, to moulder there in mockery of the triumphs of his eloquence, of which that spot had so often been the scene. A sadder sight was never gazed upon in Rome.<sup>1</sup>

It is a saying of Bacon that great men have no continuance; and this rule — if it be a rule — was head out of the litter and killed him with three blows, sawing rather than cutting off the head, owing to awkwardness. Dio says that Lænas, to secure to himself the credit of the murder, kept the skull close to a little garlanded image of himself, with an inscription upon it mentioning the fact.

<sup>1</sup> There was a story current in the sixteenth century that the tomb of Cicero had been discovered in 1544 in digging the foundations of a monastery in the island of Zante, and it was supposed that his remains had been carried there by one of his faithful slaves, and secretly buried. Desiderius Lignamineus of Padua declares, in a narrative which he drew up in 1547, that he had seen the tombstone and copied the inscription into his note-book. His theory was that the tomb was erected by Cicero's son. But the whole account is discredited.

exemplified in the case of Cicero. His line became rapidly extinct. His only son — the child of so many hopes — gave him, in early life, some uneasiness, owing to the irregularities of youth. There is, however, a very interesting letter extant, written by him when he was studying at Athens, to his father's intelligent freedman, Tiro, which does credit to his heart and head. The purport of it is that he has sown his wild oats, and intends to reform. After his father's death he is said to have taken to drinking, — perhaps to drown sorrow, — but certainly not for the absurd reason assigned by Pliny, probably in jest, because he wished to deprive Antony of the "glory" of being the hardest drinker in the Roman world. He followed Marcus Brutus to Macedonia, where he acquitted himself as a brave and skillful officer, and fought at Philippi. He afterwards joined the standard of Pompey's son, and, when peace was concluded with the Triumvirate, returned to Rome, where honors were lavished upon him by Augustus, perhaps out of remorse for the part he himself had taken as an accomplice in the murder of his father.<sup>1</sup> He was made a member of the College of Augurs, a commissioner of the Mint, and a *liber censoris*, with Augustus as his colleague.<sup>2</sup> It was in this capacity that the public letters were addressed to him by Augustus announcing his victory at Actium and cons-

<sup>1</sup> Plutarch also writes that Augustus used Ovid as a physician with a hint in his name, which he has taken to have been his father. "He was a doctor of Ovid's name, and medicine, and I was a weak and foolish fellow, and so he began saying, 'My father, this was a mortal wound between Ovidius and a doctor of his country.'"

<sup>2</sup> Suetonius, *De Augusto*, § V. 30 notes, "Decemviri quibus Augustus dedit nomen patris." I have noticed 2 points, pointed by H. Mommsen, in this sentence, namely, "Nomen patris patris Ovidius, scripserat, et librum patris."

quest of Egypt, and in that capacity also that to him was intrusted the execution of the decree for destroying the statues and monuments of Antony, the design being that his very name should perish. He became afterwards proconsul of Asia Minor, or, according to Appian, of Syria, and his name thenceforward disappears from the surface of history. He appears to have died unmarried, or at all events he left no issue.

The reader of the foregoing pages will, I hope, be able to make a just estimate of the character of Cicero for himself. We have seen it in its strength and in its weakness, tried by the two extremes of prosperity and adversity. And it is better that each should form his own opinion from the materials which a fair biography affords, than trust to the opinions of others, on a question where so much depends upon the idiosyncrasy of the writer, and the point of view from which he regards the subject of his criticism. Few men have been more praised, and few more vilified, than Cicero. In his lifetime, and after his death, he had enemies who gave currency to the most atrocious calumnies respecting him. But these have died the natural death of a lie, and it would be an insult to his memory to notice them now. Since the revival of letters, and until a very recent period, his name has been worshipped with a kind of idolatry; but at last there has come a reaction, and he is by some writers as unduly depreciated as he was before unduly extolled. The two extremes of opinion may be represented by Middleton and Niebuhr on the one hand, and by Melmoth,

Drumann, and Mommsen on the other. Middleton goes so far in his admiration that De Quincey declares his object was, out of hatred to Christianity, to paint, in the person of Cicero, a pure Pagan model of scrupulous morality; and to show that in most difficult times he acted with a self-restraint and a considerate integrity to which Christian ethics could have added no element of value. Niebuhr says, "I love Cicero as if I had known him, and I judge of him as I would judge of a near relation who had committed a folly." But Drumann has painted the portrait of Cicero *en noir* throughout. In his exhaustive work he makes a sustained and elaborate attack upon his character, and hardly gives him credit for a single pure or disinterested motive in the whole course of his life. He catches at every tale of scandal afloat respecting him, except those which charge him with licentiousness, of which even Drumann absolutely acquits him; and whenever there is a possibility of imputing something wrong, he imputes it to him in a spirit of systematic misrepresentation. He never gives him the benefit of a doubt, and his criticism is often so unfair, that it is difficult in reading it to avoid feelings of anger and disgust. His erudition is immense, and I willingly acknowledge the honesty with which he affords the reader the means of verifying his assertions, by the copious references that are found at the bottom of every page of his work. But it would be easy from them to show how prejudiced and unjust is the view he often takes.

As to Mommsen, he treats Cicero as if he were positively beneath his notice. When he speaks of

him he affects a tone of supreme contempt, and if all we knew of him depended upon what the historian has told us, we should regard him as nothing more than a weak-minded sophist and rhetorician. Fixing his eyes on the infirmity of his political conduct, in which there is much to blame and something to pity, this German writer thinks himself entitled to sneer at him, and is blind even to the splendor of his intellectual gifts. A far more just and trustworthy estimate of Cicero will be found in the admirable work of Abeken.<sup>1</sup> He holds the balance even, and in his censure and his praise is always a fair and discriminating judge.

It may be said with truth of Cicero that he was weak, timid, and irresolute,<sup>2</sup> but it is not the whole truth. These defects were counterbalanced, and in some respects redeemed by the display, at critical periods of his life, of the very opposite qualities. He was as firm and brave as a man need be in the contest with Catiline, and the final struggle with Antony. It would not be fair to judge of Napoleon solely by his demeanor at St. Helena, and it is not fair to judge of Cicero solely by his agony during his exile, and his conduct during the Civil War. In the first he was unmanned by the magnitude of his misfortunes, and in the second unnerved by the difficulty of determining which side he *ought* to follow. It is utterly untrue to assert, as Drumann asserts, that

<sup>1</sup> Cicero in Seinen Briefen.

<sup>2</sup> His tendency to *trim* between opposite parties once exposed him to a stinging sarcasm, as recorded by Macrobius (*Saturn.* II. 3). He said to Laberius, a Roman knight, who was looking for a seat in the theatre, "I would receive you here if I had room:" on which Laberius replied, "I am surprised you have not room, as you usually sit on two stools."

selfishness and disregard for right and truth were prominent features of his mind.<sup>1</sup> He was egotistical, but not selfish; and his anxiety to do what was right was one chief cause of his irresolution.

He would have been a more consistent if he had been a less scrupulous man. His lot was cast in times which tried men's souls to the uttermost, and when boldness was as much required in a statesman as virtue. His moral instinct was too strong to allow him to resort to means of which his conscience disapproved. And if he knew he had acted wrongly, he instantly felt all the agony of remorse. Although he lived in the deep shadows of the night which preceded the dawn of Christianity, his standard of morality was as high as it was perhaps possible to elevate it by the mere light of Nature. And to fall below that standard made him feel dissatisfied with himself and ashamed. But his constant aim was to do right; and although he sometimes deceived himself, and made great mistakes, they were the errors of his judgment rather than of his heart. Let those who, like De Quincey, Mommsen, and others, speak so disparagingly of Cicero, and are so lavish in praise of Cæsar, recollect that Cæsar was never troubled by a conscience. His end was power, and to gain it he had no scruple as to the means. Conspiracy, corruption, and civil war were the instruments of his guilty ambition, and his private life was darkened by vices of the worst possible kind. Dazzled by the lustre which surrounds his name, men are apt to forget all this, and to confound right and wrong in their

<sup>1</sup> Uebrigens erkennt man in seinem Character Erregbarkeit, Selbstsucht, Feigheit und Mangel an Achtung vor Recht und Wahrheit, als die hervorstechenden Eigenschaften. — *Gesch. Roms.*

hero-worship of his commanding genius, his iron will, and his victorious success.

The chief fault of Cicero's moral character was a want of sincerity. In a different sense of the words from that expressed by St. Paul, he wished to become all things to all men, if by any means he might win some. His private correspondence and his public speeches were often in direct contradiction with each other as to the opinions he expressed of his contemporaries; and he lavished compliments, in the Senate and the Forum, upon men whose conduct he disliked, and whose characters he abhorred.

His foible was vanity, and he has paid dearly for it, for it has made him many enemies. A vain man is generally a weak man, and there was enough of weakness in his character to cause the sarcasms of ill-nature to appear the language of truth. Men will forgive worse faults more readily, for they feel it as a kind of injury to themselves, and they dislike to have their praise exacted and to be laid, as it were, under tribute. He was never tired of speaking of himself, and he blew his own trumpet with a blast which wearied the ears of his countrymen. But it was after all a harmless failing, and would have been sufficiently punished with laughter, instead of being treated as an offence to be retaliated by slander.

As a Philosopher, Cicero had no pretensions to originality. His object was to recommend the study of Greek philosophy to the attention of his countrymen, who were profoundly ignorant of it; and no writer since Plato has ever succeeded in making it more attractive. It was said of Socrates, that he drew Philosophy from the clouds, and made her

walk upon the earth; and this is equally true of Cicero. She spoke literally and metaphorically in an almost unknown language to the Roman mind, until he appeared.<sup>1</sup> He had to coin, in many instances, the very words by which the ideas were to be expressed, for the unmetaphysical character of the Roman intellect had never hitherto conceived the existence of the problems which had so long exercised the subtle speculations of the Greeks. Though not a philosopher like Pythagoras, Plato, Zeno, and Epicurus, he had eminently a philosophical mind as a candid and diligent inquirer after Truth. His capacious intellect embraced the whole field of inquiry, and his judgment refused to trammel itself in the chains of any particular sect. The school to which he most attached himself was the school of the New Academy, of which Arcesilas (born B. C. 320) was the reputed founder. But it was precisely for the reason that this school was the most liberal and least prejudiced of all. Its distinguishing feature was an enlightened scepticism. It did not dogmatize so much as doubt. Where other sects peremptorily determined what was True and what was False, the New Academy was modestly content with Probability. Cicero was too sagacious and too liberal not to see the weak points of other systems. He laughed at the absurd paradoxes of the Stoics, and his moral sense revolted at the selfish and God-denying doctrines of the Epicureans. But he did not reject all because he could not approve of all, for he agreed on many points with both. Knowing the

<sup>1</sup> Philosophia jacuit usque ad hanc ætatem, nec ullum habuit lumen literarum Latinarum. — *Tusc. Disp.* I. 3. .

character of his mind it would have been easy to predict, even without knowing the fact, that he would incline to the school of the New Academy. It was a doctrine congenial to the spirit of an irresolute man, to hold that doubt is the proper state in which to keep the mind suspended, when dealing with questions of speculative truth. Moreover, the habit of mind of an advocate is indisposed to dogmatic assertion. He is constantly employed in considering what can be said by an opponent, and he is more concerned that the answer he is prepared to make shall be plausible than that it shall be true. But no man can accustom himself to weigh objections without learning to doubt whether his own view is infallibly right. The conflict of argument has taught him that on almost every question much may be said on both sides, and the result is, or ought to be, a spirit of fairness and candor, which is equally opposed to bigotry in religion, and dogmatism in philosophy. For the same reason, I believe, it was, and not from a servile imitation of Plato, that Cicero cast most of his philosophical treatises into the form of dialogues, by which he was enabled to bring out the strong and weak points of opposing systems, without committing himself to any decisive and peremptory opinion.<sup>1</sup> But, although on speculative questions, such as the Nature of Things, the Supreme Good, and similar subjects, he was more the expounder of the opinions of others than the asserter of his own, he was a firm believer in the great cardi-

<sup>1</sup> Id (genus disputandi) potissimum consecuti sumus quo Socratem usum arbitrabamur, ut nostram ipsi sententiam tegeremus, errore alios levaremus et in omni disputatione quid esset simillimum veri quaereremus — *Tusc. Disp.* V. 4.

nal truths of a Providence and a Future State. And he was also clear and decided in his views of moral obligation. In his lofty and unhesitating choice of Right in preference to Expediency, as the rule of conduct, he is a safer guide than Paley; and his work "*De Officiis*" is the best practical treatise on the Whole Duty of Man which Pagan antiquity affords. The *Ethics* of Aristotle may be compared to the dissection of an anatomist, but Cicero has given life to the figure of Virtue, and clothed it in warm flesh and blood.

As an Orator his faults are coarseness in invective, exaggeration in matter, and prolixity in style. His habit of exaggeration is such that it is often difficult to ascertain the limits within which the truth really lies; but, as a general rule, to be on the safe side we must deduct a large percentage from his statements. I believe that the cause of this was not any purpose or desire to mislead, but the vehement and excitable temperament of the man. As he felt warmly, so he expressed himself strongly. Many of his sentences are intolerably long, and he dwells upon a topic with an exhaustive fulness which leaves nothing to the imagination. The pure gold of his eloquence is beaten out too thin, and what is gained in surface is lost in solidity and depth. The argument often disappears in a cloud of words: the course of the stream is lost in an inundation. This is one great difference between him and Demosthenes. The declamation of the Greek orator, like that of Brougham, is always argumentative. Amidst the grandeur of his eloquence, his speeches are practical and business-like, and he never loses sight of the aim and end he has

in view. Perhaps no orator has ever kept more closely to the point. And it cannot, I think, be doubted, that for this reason, amongst others, Demosthenes would have been listened to with far more attention than Cicero in the English House of Commons. Indeed, I am not sure that the speeches of the Roman would not there have been received, like the speeches of Burke, with unmistakable signs of impatience. But, on the other hand, we must remember that Cicero was an Italian speaking to Italians; and as the end of all oratory is to persuade, the true test of its excellence is the impression it produced upon the audience to which it was addressed. We know the magical effect it had upon the people and the Senate. They took delight in the flowing periods, the ever-changing forms of words, — which disguised the repetition of the idea, as bits of colored glass are glorified by the kaleidoscope, — and the passionate rhetoric which took captive their imagination, and carried away their feelings by storm. Criticize the eloquence of Cicero as we will, it is impossible to deny that no greater master of the music of speech has ever yet appeared amongst mankind.<sup>1</sup>

But, however opinions may differ as to his oratory, some thinking him too florid and diffuse, and, to use a homely term, long-winded, there can be but one opinion of his merits as a writer. The benefit he conferred upon his own language is incalculable, and the way to measure it is to compare the Latinity of

<sup>1</sup> Contrary to what we might have expected, his delivery was slow and measured, — at all events in his later years, — and Seneca compares it to the action of a slow-stepping horse. “Cicero quoque noster, a quo Romana eloquentia exstitit, gradarius fuit.” — *Epist.* 40.

the authors who preceded him, of whose works we possess a few fragments, or even his contemporaries, with the Latinity of Cicero. He created a style which has been the model and the despair of succeeding writers. It is so pure and perfect, with such modulation of sentences, and wealth and harmony of diction, so free from roughness or obscurity, that, in proportion as the reader is familiar with it, he acquires a disrelish for the style of any other Latin author. Livy, in my opinion, comes next in excellence, but he wants the fulness, and the grace, and the charm of Cicero.

He was one of the most forgiving of men, and it was in perfect sincerity that he uttered the noble sentiment that he was not ashamed to confess that his enmities were mortal, and his friendships eternal. He was, more than almost any other of those stern old Romans, what may be called a family man. He doted on his children, and, until his unhappy divorce, was loving and affectionate to his wife. To his dependants he was a kind-hearted master, — witness his sorrow for the death of Sositheus, and his warm regard for the accomplished Tiro.

Of his personal appearance and habits we know little more than what Plutarch has told us, and what we can glean from different passages in his letters and works. He was thin and meagre in frame, with a long neck, and had such a weakness of digestion that he accustomed himself to a spare diet, which he generally took late in the evening. But he was a diner-out, and liked merriment at table, — a man full of light pleasantry and wit, for he was naturally of a joyous temperament, until public and private sorrow

cast a shadow over his existence. Niebuhr says, "The predominant and most brilliant faculty of his mind was his wit. In what the French call *esprit* — light, unexpected, and inexhaustible wit — he is not excelled by any among the ancients." But it had a flavor of bitterness in it at times, and left a sting behind which was neither forgotten nor forgiven. He would have been a match for Talleyrand at a repartee. It was only in the later years of his life that he indulged in a *siesta* after meals. He was fond of the bath, and had his body well rubbed and oiled. He also took a sufficient quantity of exercise daily, and by these means, notwithstanding a naturally weak constitution, he enjoyed upon the whole excellent health. We find him complaining of sickness not more than two or three times in the course of his long and numerous correspondence; but as he grew older he was troubled by a weakness of the eyes, which was caused most probably by excessive study. There is no authentic bust of Cicero.<sup>1</sup> The Emperor Alexander Severus possessed one, but it is not known to be in existence now. His face was handsome, and he retained his good looks until his death.<sup>2</sup> That it was full of beaming intellect we require no authority to feel assured.

His activity of mind and industry were astonishing. It has been computed that we possess little more than a tenth part of what he wrote; and this is certainly true, if we include his lost speeches, most of which were carefully prepared and written out

<sup>1</sup> The head of Cicero, facing the title-page of Vol. I. of this work, is taken from a bronze medal struck by the town of Magnesia in Lydia.

<sup>2</sup> Et quidem facies decora ad senectutem, prosperaque permansit valetudo. — Asin. Pollio apud Senec. *Suasor.* 6.

beforehand.<sup>1</sup> We have seen how frequently he was employed in composition before the sun had risen, and few men could with less justice say of themselves like Titus, *Diem perdidit* !

To appreciate his full worth, let us consider what a blank there would have been in the annals of Rome and the history of the world, if Cicero had never lived. He illumines the darkness of the past with the light of his glorious intellect, like some lofty beacon that sheds its rays over the waste of waters. And the more we think of all we owe him — of all he did, and wrote, and spoke — the more shall we be disposed to agree with the prophetic judgment of the historian who says,<sup>2</sup> — “ Vivit vivetque per omnem sæculorum memoriam ; . . . citiusque e mundo genus hominum quam Ciceronis gloria e memoriâ hominum unquam cedit.”

<sup>1</sup> For an excellent account and analysis of his various works see the admirable article entitled “ Cicero,” in Smith’s Biog. Dict.

<sup>2</sup> Vell. Paterc. II. 66.

## APPENDIX.

### ORATIONS OF CICERO.\*

	B. C.		B. C.
Pro P. Quinctio .....	81	<i>Pro L. Corvino</i> .....	65
Pro Sex. Roscio Amerino .	80	**Pro C. Cornelio. Two	
<i>Pro Muliere Arretina</i> (be-		orations .....	65
fore his journey to		<i>Pro C. Calpurnio Pisone</i> .	64
Athens).		**Oratio in Toga Candida	64
*Pro Q. Roscio Comædo .	76	**Pro Q. Gallio .....	64
<i>Pro Adolescentibus Siculis</i>	75	*De Lege Agraria, Oratio	
Pro Scamandro .....	74	prima, in senatu.	
**Pro L. Vareno, probably	71	De Lege Agraria, Oratio	
*Pro M. Tullio .....	71	secunda, ad populum.	
Pro C. Mustio .....	before 70	De Lege Agraria, Oratio	
In Q. Cæcilium .....	70	tertia, ad populum.	
In Verrem Actio prima,		**De L. Roscio Othone.	
5th Aug. ....	70	*Pro C. Rabirio.	
In Verrem Actio secunda.		**De Proscriptorum Li-	
Not delivered.		beris.	
*Pro M. Fonteio .....	69	In Catilinam, prima Oratio,	
Pro A. Cæcina .....	69	8th Nov.	
**Pro P. Oppio .....	67	In Catilinam, secunda, 9th	
Pro Lege Manilia .....	66	Nov.	
**Pro C. Fundanio .....	66	In Catilinam, tertia.	
Pro A. Cluentio Avito ....	66	In Catilinam, quarta, 5th	
**Pro C. Manilio .....	65	Dec.	

\* This list is taken, with slight alteration, from the article "Cicero" in Smith's *Biog. Dictionary*; but I have added the Philippics, which are there omitted. The italics denote those speeches which are wholly lost; the two asterisks, those of which only a few mutilated fragments remain; the single asterisk denotes those of which, although imperfect, enough remains to give a clear idea of the argument, and where considerable passages are complete.

	B. C.		B. C.
Pro Murena. Towards the end of.....	63	In L. Pisonem.....	55
**Contra Concionem Q. Metelli, 3d Jan. ....	62	**In A. Gabinium.	
Pro P. Cornelio Sulla ....	62	Pro Cn. Plancio.....	55
**In Clodium et Curionem	61	<i>Pro Caninio Gallo</i> .....	55
Pro A. Licinio Archia.		Pro C. Rabirio Postumo ..	54
Generally assigned to..	61	**Pro Vatinio.....	54
Pro Scipione Nasica.....	60	*Pro M. Æmilio Scauro ..	54
Pro L. Valerio Flacco....	59	<i>Pro Crasso in Senatu</i> ....	54
<i>Pro A. Minucio Thermo</i> .		<i>Pro Druso</i> .....	54
Twice defended in.....	59	<i>Pro C. Messio</i> .....	54
<i>Pro Ascitio</i> .....before	56	<i>De Reatinorum Causa con-</i> <i>tra Interamnates.</i>	
<i>Pro M. Cispio</i> .....after	57	Pro T. Annio Milone.....	52
Post Reditum in Senatu,		<i>Pro M. Saufeio</i> . Two ora- tions.....	52
5th Sept.....	57	<i>Contra T. Munatium Plan-</i> <i>cum</i> . In Dec. ....	52
Post Reditum ad Quirites,		<i>Pro Cornelio Dolabella</i> ...	50
6th or 7th Sept. ....	57	Pro M. Marcello.....	47
Pro Domo sua ad Pontifi-		Pro Q. Ligario.....	46
ces, 29th Sept. ....	57	Pro Rege Deliotaro.....	45
De Haruspicum Responsis.	56	<i>De Pace in Senatu, 17th</i> <i>March</i> .....	44
<i>Pro L. Calpurnio Pisone</i> <i>Bestia, 11th Feb.</i> .....	56	Philippica Prima (against Antony) .....	44
Pro P. Sextio. Early in March .....	56	Philippica Secunda (against Antony; written but not delivered) .....	44
In Vatinium Interrogatio. Same date.		Philippicæ Orationes III.- XV. ....	44-43
Pro M. Cælio Rufo.			
Pro L. Cornelio Balbo....	56		
De Provinciis Consularibus	56		
**De Rege Alexandrino..	56		

# ROMAN CONSULS DURING CICERO'S LIFE.

	Anno ætat.
C. Atilius Serranus . . . . .	Q. Servilius Cæpio . . . . . 1
P. Rutilius Rufus . . . . .	Cn. Mallius . . . . . 2
C. Marius II. . . . .	C. Flavius Fimbria . . . . . 3
C. Marius III. . . . .	L. Aurelius Orestes . . . . . 4
C. Marius IV. . . . .	Q. Lutatius Catulus . . . . . 5
C. Marius V. . . . .	M. Aquillius . . . . . 6
C. Marius VI. . . . .	L. Valerius Flaccus . . . . . 7
M. Antonius (orator) . . . . .	A. Postumius Albinus . . . . . 8
Q. Cælius Metellus Nepos . . . . .	T. Didius . . . . . 9
Cn. Corn. Lentulus . . . . .	P. Licinius Crassus . . . . . 10
Cn. Domitius Ahenobarbus . . . . .	C. Cassius Longinus . . . . . 11
L. Licinius Crassus . . . . .	Q. Mucius Scævola . . . . . 12
C. Cælius Calvus . . . . .	L. Domitius Ahenobarbus . . . . . 13
C. Valerius Flaccus . . . . .	M. Herennius . . . . . 14
C. Claudius Pulcher . . . . .	M. Perperna . . . . . 15
L. Marcius Philippus . . . . .	Sext. Julius Cæsar . . . . . 16
L. Julius Cæsar . . . . .	P. Rutilius Lupus . . . . . 17
Cn. Pompeius Strabo . . . . .	L. Porcius Cato . . . . . 18
L. Cornelius Sulla . . . . .	Q. Pompeius Rufus . . . . . 19
Cn. Octavius . . . . .	L. Cornelius Cinna . . . . . 20
L. Cornelius Cinna II. . . . .	C. Marius VII. . . . . 21
L. Cornelius Cinna III. . . . .	Cn. Papirius Carbo . . . . . 22
Cn. Papirius Carbo II. . . . .	L. Cornelius Cinna IV. . . . . 23
L. Cornel. Scipio Asiaticus . . . . .	C. Junius Norbanus . . . . . 24
C. Marius . . . . .	Cn. Papirius Carbo III. . . . . 25
M. Tullius Decula . . . . .	Cn. Cornelius Dolabella . . . . . 26
L. Cornelius Sulla II. . . . .	Q. Cæcilius Metellus Pius . . . . . 27
P. Servilius Vatia Isauricus . . . . .	App. Claudius Pulcher . . . . . 28
M. Æmilius Lepidus . . . . .	Q. Lutatius Catulus . . . . . 29
D. Junius Brutus . . . . .	Mam. Æmilius Lepidus . . . . . 30
Cn. Octavius . . . . .	C. Scribonius Curio . . . . . 31
L. Octavius . . . . .	C. Aurelius Cotta . . . . . 32
L. Licinius Lucullus . . . . .	M. Aurelius Cotta . . . . . 33

	Anno ætat.
M. Terentius Varro.....	C. Cassius Varus ..... 34
L. Gellius Poplicola.....	{ Cn. Cornelius Lentulus } 35
	{ Claudianus ..... }
Cn. Aufidius Orestes.....	P. Cornelius Lentulus Suræ. 36
Cn. Pompeius Magnus.....	M. Licinius Crassus..... 37
Q. Hortensius.....	Q. Cæcilius Metellus Creticus 38
L. Cæcilius Metellus.....	Q. Marcius Rex..... 39
C. Calpurnius Piso.....	M' Acilius Glabrio..... 40
M. Æmilius Lepidus.....	L. Volcatius Tullus..... 41
L. Aurelius Cotta.....	L. Manlius Torquatus..... 42
L. Julius Cæsar.....	C. Marcius Figulus..... 43
M. Tullius Cicero.....	C. Antonius ..... 44
D. Junius Silanus.....	L. Licinius Murena..... 45
M. Pupius Piso Calpurnianus..	M. Valerius Messala Niger.. 46
L. Afranius.....	Q. Cæcilius Metellus Celer.. 47
C. Julius Cæsar .....	M. Calpurnius Bibulus..... 48
L. Calpurnius Piso Cæsoninus..	A. Gabinius ..... 49
P. Cornel. Lentulus Spinther..	Q. Cæcilius Metellus Nepos.. 50
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